

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

-----:  
IN THE MATTER OF: :  
 :  
Howard Theatre :  
Entertainment, LLC, t/a : Fact  
Howard Theatre : Finding  
620 T Street NW : Hearing  
Retailer CX :  
License No. 88646 :  
Assault Inside of the :  
Establishment, No ABC :  
Manager on Duty, Operating :  
After Board Approved Hours,:  
Provided "Back Up Drinks," :  
Allowed the Establishment :  
to be Used for an Unlawful :  
or Disorderly Purpose, :  
Allowed Prohibited :  
Fireworks to be Used in the:  
Establishment :  
Case No. 14-251-00013, :  
14-251-00093, 14-251-00229,:  
14-251-00238, 14-CMP-00240 :  
-----:

SEPTEMBER 17, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**NICK ALBERTI, Member**

**DONALD BROOKS, Member**

**JAMES SHORT, Member**

**HECTOR RODRIGUEZ, Member**

**ALSO PRESENT:**

**CRAIG STEWART, ABRA**

**ZACHARY VICK, ABRA**

**MARK BRASHEARS, ABRA**

**OFFICER T. KYLE, MPD 3D**

1 P R O C E E D I N G S

2 10:22 a.m.

3 CHAIR MILLER: All right, we have  
4 a fact finding hearing involving Howard  
5 University, so those of you who are here for  
6 that.

7 MEMBER ALBERTI: Howard Theatre.

8 CHAIR MILLER: I'm sorry. Oh my  
9 God. Howard Theatre.

10 MEMBER ALBERTI: We are all doing  
11 it this morning.

12 CHAIR MILLER: Howard Theatre,  
13 please come forward. So I want to start on my  
14 right with introductions.

15 MR. COSENZA: Yes, Anthony  
16 Cosenza. I'm the general manager of the  
17 establishment.

18 CHAIR MILLER: Could you spell  
19 your last name, please?

20 MR. COSENZA: C-O-S-E-N-Z-A.

21 CHAIR MILLER: And your position  
22 is what?

1 MR. COSENZA: The general manager.

2 CHAIR MILLER: General Manager.

3 Okay.

4 MR. WHITE: My name is Damon White,  
5 house manager.

6 CHAIR MILLER: Damon White?

7 MR. WHITE: White,

8 CHAIR MILLER: White?

9 MR. WHITE: W-H-I-T-E.

10 CHAIR MILLER: And what is your  
11 position?

12 MR. WHITE: House manager.

13 CHAIR MILLER: House manager.

14 MR. WHITE: Yes.

15 CHAIR MILLER: Okay. Good  
16 morning.

17 OFFICER KYLE: Good morning,  
18 Officer T. Kyle, badge 3927, MPD 3D.

19 CHAIR MILLER: Thank you very much  
20 for taking the time out to come here.

21 OFFICER KYLE: Yes, ma'am.

22 CHAIR MILLER: Okay.

1                   MR. BRASHEARS: Mark Brashears,  
2 investigator, ABRA.

3                   CHAIR MILLER: All right.

4                   MR. VICK: Zachary Vick,  
5 investigator, ABRA.

6                   MR. STEWART: Supervisor  
7 investigator, Craig Stewart from ABRA.

8                   CHAIR MILLER: Okay.

9                   MR. STEWART: Supervisory  
10 investigator, Craig Stewart.

11                  CHAIR MILLER: Okay, so this fact  
12 finding hearing concerns five cases. You all  
13 should have reports on those five cases I  
14 believe. I think what we're going to do is go  
15 case by case and starting with our  
16 investigators, Officer Kyle, no, I just want  
17 to be careful with respect to your time so if  
18 there's anything, anytime you need to say that  
19 you would like to speak because you have to  
20 leave or whatever, just, just let me know,  
21 cause I'm really cognizant of your duties,  
22 okay, but as, I would see this as the

1 investigator going first and then the officer  
2 and then the licensee. So, do you have any  
3 questions about that right now? Okay.

4 MEMBER ALBERTI: CHAIR MILLER can.

5 CHAIR MILLER: Yes.

6 MEMBER ALBERTI: May I address the  
7 procedural issue?

8 CHAIR MILLER: Yeah, yeah, yeah,  
9 before we start if you, anybody has a --

10 MEMBER ALBERTI: Well I want some  
11 clarity as to who's representing the licensee.

12 CHAIR MILLER: Okay.

13 MR. ALBERT: First of all --

14 CHAIR MILLER: Right.

15 MEMBER ALBERTI: We don't have  
16 anyone who is, is actually the licensee here,  
17 is that correct?

18 MR. COSENZA: We are managers for  
19 the venue.

20 MEMBER ALBERTI: You are managers  
21 for the venue?

22 MR. COSENZA: Yes.

1                   MEMBER ALBERTI:   So, Mr. Bensusen  
2                   or Mr. Ellis who are the two people we have  
3                   listed in the licensee, they're not here?

4                   MR. COSENZA:   They're not here.  
5                   Were they aware of this hearing?   Do you know?  
6                   And they chose not to come, is that correct?

7                   MR. COSENZA:   They sent us on  
8                   their behalf.

9                   MEMBER ALBERTI:   Sent you on their  
10                  behalf. And what's your position, Mr. Cosenza?

11                  MR. COSENZA:   I'm the general  
12                  manager.

13                  MEMBER ALBERTI:   And what's that  
14                  entail?

15                  MR. COSENZA:   All operations.   I  
16                  oversee everything.

17                  MEMBER ALBERTI:   Hiring?

18                  MR. COSENZA:   Hiring, firing.

19                  MEMBER ALBERTI:   Security,  
20                  everything?

21                  MR. COSENZA:   Security, yes.

22                  MEMBER ALBERTI:   And how long have

1       you been General Manager?

2                   MR. COSENZA: I've been with the  
3       establishment for a month and a half.

4                   MEMBER ALBERTI: For 45 days?

5                   MR. COSENZA: Yes. I've been with  
6       the company for ten years though out of their  
7       New York locations.

8                   MEMBER ALBERTI: How many times  
9       have you been here to this location and  
10      overseeing the operations here?

11                  MR. COSENZA: I've been down here  
12      a dozen times before I took over the position.

13                  MEMBER ALBERTI: To oversee the  
14      operations in the evening?

15                  MR. COSENZA: Yes, to oversee and  
16      assist, all the general manager does.

17                  MEMBER ALBERTI: And Mr. White,  
18      how long have you been with the organization?

19                  MR. WHITE: For two years, since  
20      they opened. I was with them from day one.

21                  MEMBER ALBERTI: Since they  
22      opened?



1 MR. WHITE: Yes.

2 MEMBER ALBERTI: And was your  
3 position always as, what is it, floor manager?

4 MR. WHITE: House manager.

5 MEMBER ALBERTI: House manager?

6 MR. WHITE: House manager, yes.  
7 No, it has not. I came in as a security  
8 worker. I was promoted to head of security.  
9 I went from there to assistant manager and now  
10 manager.

11 MEMBER ALBERTI: And how long have  
12 you been house manager?

13 MR. WHITE: About, close to a  
14 year, I would say nine months.

15 MEMBER ALBERTI: Nine months.  
16 Okay. All right. Thank you.

17 CHAIR MILLER: Okay. Does that  
18 work for you to start with just case by case?  
19 Okay?

20 MR. COSENZA: Yes ma'am.

21 CHAIR MILLER: Okay. All right.  
22 The first case I have is 14-251-00093. Okay.

1 Do you want to address what happened, I mean?

2 MR. COSENZA: Oh, yes, ma'am.

3 CHAIR MILLER: okay.

4 MR. STEWART: Basically I received  
5 a MPD 251 concerning a simple assault that  
6 occurred at Howard Theatre on 19 January 2014.  
7 Upon investigating the incident, there was an  
8 individual, a patron, who was forcibly removed  
9 from the establishment. When I spoke with the  
10 staff at Howard Theatre and security, I was  
11 basically told that the individual had become  
12 like unruly and disrespectful to other patrons  
13 and was taken to the lobby and asked to leave.  
14 At some point in the lobby, he became a little  
15 more confrontational and was removed from the  
16 premise through the front door at which time  
17 he was thrown through the front door onto the  
18 pavement and when he got up and tried to  
19 reenter the establishment, one of the security  
20 personnel punched him knocking him to the,  
21 punched him in the face knocking him to the  
22 ground and basically all this was captured on

1 video, which I reviewed. In speaking with the  
2 security staff they explained to me that their  
3 security personnel were more in the venue of  
4 hosts instead of security and in such didn't  
5 really have security training but more  
6 customer service relations and in-house  
7 training and it was noted that none of the  
8 individuals on the security team were wearing  
9 any kind of identifiable markings, clothing or  
10 identification to say that they worked at  
11 Howard Theatre which when I interviewed the  
12 victim became a little bit problematic because  
13 when he was initially approached he wasn't  
14 sure who he was speaking with because he  
15 couldn't identify them. Upon speaking with  
16 him, he felt that he had been assaulted so  
17 when I went back and basically looked at the  
18 video it was clear to me that, you know, he  
19 may have been posturing and aggressive in the  
20 lobby but once he was put out of the theater  
21 when he got back to his feet and started to  
22 the door, his hands were at his side so he was

1 not being aggressive or, or anything at that  
2 nature when he was struck. When I spoke to the  
3 security manager, who at the time was Mr.  
4 Damon White, he basically stated that he had  
5 not had any previous issues with the security  
6 individual but basically stated that they had  
7 a policy of no hitting or anything of that  
8 nature and that the individual had been  
9 basically punished with five weeks without pay  
10 and a reprimand. And I guess the long and  
11 short of it was the, the individual was put  
12 out because he was told, he claimed that he  
13 was put out because he was too tall. The  
14 individual was 6'8" and was told that he was  
15 blocking people's view and he, he stated to  
16 security that he had paid his money like  
17 everyone else. It was first come, first serve  
18 and he wanted to be there yet they told him to  
19 go to the corner and stand or he would have to  
20 go, at which point he became argumentative.  
21 The other issue in, in looking at things at  
22 Howard Theatre, they currently do not have a

1 security plan as it were and as I stated, you  
2 know, there were issues with not being  
3 identifiable to the patrons.

4 CHAIR MILLER: So I would say  
5 this, just as your starting, we have five  
6 cases so we don't have to know every --

7 MR. STEWART: Yes, ma'am.

8 CHAIR MILLER: I'm just saying, we  
9 don't have to know every detail in every case  
10 cause we have the reports, but in general and  
11 then as we go along if there are certain  
12 patterns or certain problems that, you know,  
13 look like we should address in general we  
14 could do it that way. Okay.

15 MR. STEWARD: Understood.

16 CHAIR MILLER: Okay. Is that it  
17 on that one?

18 MR. STEWART: Yes, ma'am.

19 CHAIR MILLER: Okay. So that was  
20 the a very small report, so thank you.

21 MEMBER ALBERTI: May I ask just a  
22 few questions to go over --

1 CHAIR MILLER: Yeah, yeah.

2 MEMBER ALBERTI: So Investigator  
3 Brashears, I actually found these notes quite  
4 helpful so, thank you. Do you have a  
5 different opinion?

6 CHAIR MILLER: No. I found it  
7 helpful. I'm just saying as we move along  
8 it'd be good to tie things together.

9 MEMBER ALBERTI: Yeah. I'm sure  
10 we will, I'm sure we will.

11 CHAIR MILLER: Yeah.

12 MEMBER ALBERTI: But this is,  
13 there's a lot here.

14 CHAIR MILLER: Yeah.

15 MEMBER ALBERTI: There's a lot  
16 here that's why we're here. Did you ask to  
17 speak to, did you ask who the ABC manager was  
18 on duty that evening?

19 MR. STEWART: Yes I did.

20 MEMBER ALBERTI: And who was, who  
21 was that?

22 MR. STEWART: On that evening you

1 know, I don't have it in my report, there was  
2 a female security manager who was, or a female  
3 ABC manager who was on duty that night from my  
4 understanding.

5 MEMBER ALBERTI: Okay.

6 MR. STEWART: But.

7 MEMBER ALBERTI: So you did check?  
8 You did check her name--

9 MR. STEWART: Yes.

10 MEMBER ALBERTI: and verify that  
11 she was an ABC manager.

12 MR. STEWART: Yes.

13 MEMBER ALBERTI: Okay. Very good.  
14 Okay. That's the only question I have. Thank  
15 you.

16 CHAIR MILLER: Oh yes, Mr. Brooks.

17 MEMBER BROOKS: Investigator, you  
18 were there that night or later that night?

19 MR. STEWART: No, sir. I, I  
20 received the MPD 251 approximately five days  
21 later.

22 MEMBER BROOKS: Okay, but have you

1       ever been there during an event, a  
2       performance?

3                   MR. STEWART: Numerous times, sir.

4                   MEMBER BROOKS: Numerous times.

5       Okay, and security, did, could you identify  
6       security from their uniform or from their  
7       badge or?

8                   MR. STEWART: No, sir.

9                   MEMBER BROOKS: Lettering.

10                  MR. STEWART: No, sir.

11                  MEMBER BROOKS: Okay, so they were  
12       not identifiable readily?

13                  MR. STEWART: No, sir. Thank you  
14       Madam Chair.

15                  CHAIR MILLER: Thank you. Okay.  
16       Others? Mr. Short.

17                  MEMBER SHORT: Morning,  
18       Investigator Brashears. While you were there  
19       that evening or when you did your  
20       investigation, was it clear that the ownership  
21       or management were in charge of what was going  
22       on or did it seem like it was chaotic or what



1 was, what was your, your, your general opinion  
2 of what was going on with that situation?

3 MR. STEWART: During this incident  
4 which was my first dealing with Howard Theatre  
5 it was very difficult to get a hold of the  
6 manager. I left emails. I made phone calls.  
7 I visited the establishment and it really  
8 didn't seem like anyone there really knew what  
9 ABRA was or the basically how they should  
10 respond, you know, when an ABRA investigator  
11 came to ask questions. I was basically put off  
12 most of the time and in this first incidence  
13 in dealing with Howard Theatre I basically  
14 summed that up as being they had just fired  
15 the previous manager and the manager, Mr.  
16 Melvin Harris, that I was dealing with was  
17 brand new, so basically the management that  
18 was here, that was employed by Howard during  
19 this incident by the time I got to the  
20 investigation, was no longer working there so  
21 I took it that the situation was because it  
22 was a new manager. He had come in from New

1 York and things were kind of up in the air at  
2 that point but, but I did not get the, what I  
3 felt was the appropriate response from the  
4 establishment.

5 MEMBER SHORT: Okay and then  
6 secondly, did you, did you inquire as to where  
7 there any staff with a, some type of procedure  
8 in place? Was there anything that was  
9 organized as to what security was supposed to  
10 do and how they were supposed to do it?

11 MR. STEWART: No, sir. As I said  
12 they, they don't have a written plan that I  
13 was shown or made aware of and again, I was  
14 told that they received like in-house training  
15 on customer service and basically host duties,  
16 checking IDs and things of that nature.

17 MEMBER SHORT: Thank you very  
18 much. That's all I have.

19 MR. STEWART: Yes, sir.

20 CHAIR MILLER: Okay now Officer  
21 Kyle, do you have anything you want to present  
22 in this case?

1                   OFFICER KYLE:  If it's okay with  
2                   you, I'd rather wait until we get through all  
3                   of the cases.

4                   CHAIR MILLER:  Okay.

5                   OFFICER KYLE:  If that's fine with  
6                   the board.

7                   CHAIR MILLER:  That's fine.  Okay.

8                   OFFICER KYLE:  Thank you.

9                   CHAIR MILLER:  And do you have  
10                  anything licensee?

11                  MR. WHITE:  Yes.  To address a  
12                  couple of, since then, we have addressed that  
13                  issue by hiring an outside security team that  
14                  are actual security.  They are identified.  
15                  Their shirts say security crowd control on it.

16                  CHAIR MILLER:  I'm sorry, you've  
17                  hired outside security now instead of in-house  
18                  security?

19                  MR. WHITE:  Yeah, well our in-  
20                  house security has always been hosts.  It's  
21                  more of directing people, showing people which  
22                  way to go, requesting that people don't do

1 things that we don't allow in our  
2 establishment. Since, since this incident,  
3 we've actually hired people that will actually  
4 act as security to control the crowd, to make  
5 sure that things are handled in the proper, in  
6 a proper way so that issue has been addressed.  
7 Our hosts dress in suits and ties cause  
8 they're hosts, not security. They're just to  
9 bring people into the establishment and direct  
10 them which way they should go.

11 CHAIR MILLER: Let me say this  
12 just for the record, okay. Nobody is under  
13 oath here.

14 MR. WHITE: Yeah.

15 CHAIR MILLER: And this is in  
16 evidence; however, what you say may be used,  
17 you know, by the board if we forward any of  
18 the cases to ABRA's Attorney General. I just  
19 want to get that out, you know.

20 MR. WHITE: Okay.

21 CHAIR MILLER: Okay. But you're  
22 not under oath but we hope you'll be truthful.

1     What we're, we're trying to get at the root of  
2     some of these problems to, I just want to ask  
3     you, you hired an outside security. What's  
4     the name of that?

5                 MR. COSENZA:   TNP.

6                 CHAIR MILLER:   I'm sorry, what?

7                 MR. COSENZA:   TNP, sorry.

8                 CHAIR MILLER:   TNP. And are they  
9     there, when are they there? When do you call  
10    them?

11                MR. COSENZA:   They're there for  
12    any of our events that aren't traditional  
13    shows, so anything that's not a regular  
14    performance and a seated performance, they  
15    would be there for that.

16                CHAIR MILLER:   And how long have,  
17    have you been contracted with them?

18                MR. COSENZA:   We entered into a  
19    contract with them September 1. We started  
20    using them prior to September 1 to test out  
21    their metal.

22                CHAIR MILLER:   Okay. Okay.

1 Anything else you wanted to add about?

2 MR. COSENZA: One last thing for  
3 the record, I know that they had mentioned  
4 that Melvin Harris, who was the manager at the  
5 time had come down from New York. He had  
6 actually been trained for three weeks in New  
7 York but he had been with the venue since day  
8 one as a manager, so his representation of  
9 saying that he came down from New York was  
10 actually untrue.

11 CHAIR MILLER: What's in New York?

12 MR. COSENZA: The owners run three  
13 night clubs and music venues, jazz clubs. The  
14 owners are in New York City.

15 CHAIR MILLER: Okay.

16 MR. COSENZA: And I've been with  
17 that company for ten years and they've sent me  
18 down here in lieu of recent incidents to give  
19 a little stability to, to the establishment.

20 CHAIR MILLER: So the, the owners  
21 are in New York?

22 MR. COSENZA: Yes.

1 CHAIR MILLER: Okay. Could you  
2 just clarify, you may have said this already,  
3 but who the owners are?

4 MR. COSENZA: Danny Bensusan.

5 CHAIR MILLER: Mm hmm.

6 MR. COSENZA: Primary owner.

7 CHAIRPERSON MILER: Okay.

8 MR. COSENZA: And Chip Ellis is a,  
9 is a local owner.

10 CHAIR MILLER: Chip Ellis is what?

11 MR. COSENZA: A local owner.

12 CHAIR MILLER: Chip Ellis is in  
13 DC?

14 MR. COSENZA: Yes.

15 CHAIR MILLER: Okay. Does he own  
16 other establishments?

17 OFFICER KYLE: Yes, ma'am.

18 CHAIR MILLER: Oh, okay. Do you  
19 know them offhand?

20 OFFICER KYLE: Yes, ma'am.

21 CHAIR MILLER: Okay.

22 OFFICER KYLE: Do you want to

1 volunteer them at this point?

2 OFFICER KYLE: Where else he  
3 works?

4 CHAIR MILLER: No. Where he,  
5 other establishments he owns.

6 OFFICER KYLE: Chip Ellis is a  
7 large, he has a large group within the  
8 District of Columbia. He has bought  
9 properties throughout DC.

10 CHAIR MILLER: Oh, okay.

11 OFFICER KYLE: Pretty much the  
12 entire 600 block of T Street is his on the  
13 south side.

14 CHAIR MILLER: Okay. Thank you.  
15 Okay. Anything else? Oh, you want to add?  
16 You have a question?

17 MEMBER RODRIGUEZ: Yes I just want  
18 to get to the basics here. Now Howard Theatre  
19 has a long history in DC. It is and it was  
20 revitalized so my first question is what is  
21 the corporate status right now of Howard  
22 Theatre? What is the corporate entity? Is it



1 a LLC? Is it a not-for-profit? What is your  
2 corporate identity?

3 MR. COSENZA: I'm actually not  
4 clear on that specifically. I know that there  
5 is an LLC.

6 MEMBER RODRIGUEZ: I can't hear  
7 you.

8 MR. COSENZA: I apologize. I'm  
9 actually not clear on that 100 percent. I  
10 know that there is an LLC involved as managing  
11 partners but I also know that there is a non-  
12 profit aspect to it, the money raising aspect,  
13 to help with the refurbishment.

14 MEMBER RODRIGUEZ: Mr. White, can  
15 you help us with that?

16 MR. WHITE: From what I understand  
17 it's just like Anthony said that it's a LLC  
18 and a non-profit relationship that from my  
19 understanding Chip Ellis is more in control of  
20 the non-profit side and the business, Mr.  
21 Bensusan is more in control of the for profit  
22 side and it's a eloquent joint partnership

1       there.

2                   MEMBER RODRIGUEZ: All right. I'm  
3       still a little confused about it. Maybe later  
4       we can get a little more information. I don't  
5       want to delay some of the other issues but I,  
6       I seem to not understand. Maybe it's my own  
7       lack of understanding of corporate structures  
8       to me, but the way you all are organized,  
9       cause at one point my understanding was that  
10      the District of Columbia provided some, some  
11      real good dollars to revitalize Howard, it's  
12      a cultural entity and a good visitor  
13      destination for the District, etc. and it  
14      helped to anchor that, that neighborhood and  
15      bring something to it. I've lived there in  
16      Washington for, since 1968 so I know a little  
17      bit about the history. What is the capacity  
18      of Howard Theatre? How many people, what is  
19      the maximum number of people that you can have  
20      in it?

21                   MR. WHITE: 1,200.

22                   MEMBER RODRIGUEZ: 1,200? I've

1 driven by and I've seen a lot of crowds out  
2 there and I've been wanting to get in there  
3 and participate but, so have you had that  
4 maximum capacity filled at any point?

5 MR. WHITE: To the full potential,  
6 no. We try not to.

7 MEMBER RODRIGUEZ: Uh huh.

8 MR. WHITE: With staff and other  
9 people, performances and things like that, we  
10 cut our numbers at 1100 to leave room for the  
11 total capacity to fill.

12 MEMBER RODRIGUEZ: Okay. Thank  
13 you.

14 CHAIR MILLER: Yes. Mr. Short.

15 MEMBER SHORT: Good morning to  
16 both of you.

17 MR. COSENZI: Good morning.

18 MEMBER SHORT: Member Alberti  
19 asked you earlier about the owner and you said  
20 he was notified.

21 MR. COSENZI: Yes.

22 MEMBER SHORT: Or they were

1 notified and they chose not to show up here  
2 today and they want to have an ABC license in  
3 this city and not be responsible to this  
4 board. That's what I'm taking as a board  
5 member. I don't know how the other board  
6 members are taking it. I'm very displeased  
7 with the reports we've been reading here and  
8 I don't see where you've done a lot. I hear  
9 you say that you hired somebody else in now to  
10 take care of security for you?

11 MR. COSENZI: Yes.

12 MEMBER SHORT: Is there a written  
13 plan yet?

14 MR. COSENZI: There's not a  
15 written plan yet.

16 MEMBER SHORT: There's not a  
17 written plan so you are just doing the same  
18 thing over again and you're coming before this  
19 board without the owner and stating to us,  
20 yeah, we've had some problems, yeah somebody's  
21 been assaulted, no we don't have a plan, no we  
22 haven't done anything different but we want to

1 keep our ABC license. Is that what you're  
2 saying today?

3 MR. COSENZI: No, sir.

4 MEMBER SHORT: Can you tell me  
5 what you are saying then?

6 MR. COSENZI: Yeah, I do apologize  
7 for that. My message to the owners was that  
8 this was a fact finding mission and that we  
9 would go and present all the information that  
10 we knew. I wasn't under the impression that  
11 their being here when they weren't here for  
12 the incidents themselves would be helpful, but  
13 I do understand your concern that it shows a  
14 lack of concern on their part and I vehemently  
15 argue that they're very concerned and that  
16 they did send me down in that capacity. As  
17 far as what improvements and what changes we  
18 have made, I think as the cases go on we'll  
19 enumerate each one individually but getting  
20 rid of past and previous management that has  
21 mishandled the venue and putting someone that  
22 is more seasoned like myself that knows what

1     it takes to stick with a company for ten years  
2     and run it properly was the largest action  
3     that they've made most recently to ensure that  
4     all of this does not repeat again, to open up  
5     doors to ABRA investigators, to make sure that  
6     they have someone that's responsive and not  
7     someone that's in over their head and ignored  
8     things in the past.

9             MEMBER SHORT: Well also I see on  
10    the record where on several instances the ABRA  
11    investigators have been there and there's been  
12    no ABC board manager on site and on other  
13    occasions different things dealing with your  
14    license which I don't think are really, really  
15    good for our city and good for the area and  
16    good for the Howard Theatre to be reopened the  
17    way it is. I'm a Washington person all my  
18    life, 68 years, and I used to attend Howard  
19    Theatre back in the sixties as a child and a  
20    teenager and I remember it being quite orderly  
21    and quite well taken care of and this city  
22    will not allow, at least I as a board member

1 can speak for myself and what I've heard other  
2 people say, we're not going to let Howard  
3 Theatre slip back into the abyss through lack  
4 of management, lack of planning, lack of all  
5 those things that make a great venue a great  
6 venue and when our investigators and ABRA  
7 inspectors come out to see you they expect to  
8 see a very decent well run business. This  
9 without a plan for security, it can't happen.  
10 I hope the next time that I see anybody from  
11 Howard Theatre there will be a plan in place,  
12 that we'll see some of the owners that give us  
13 some answers because the first thing the  
14 owners are going to say is we are unaware and  
15 we don't want to hear that any more. At least  
16 I, as a board member, can speak for myself.  
17 Thank you, Madam Chair.

18 CHAIR MILLER: Yes, Mr. Brooks.

19 MEMBER BROOKS: Yes, just one  
20 point of clarification to the general manager,  
21 the letter went directly to Mr. Bensusan to  
22 appear so by him telling you to come or you

1 told him that you would come I'm not clear how  
2 that worked but the letter or invitation to  
3 him for this fact-finding was directed toward  
4 him to appear.

5 MR. WHITE: Mr. Brooks, I actually  
6 signed for it when the summons for delivery  
7 came to Howard Theatre. I was the manager,  
8 the ABC manager on duty at the time.

9 MEMBER BROOKS: Okay.

10 MR. WHITE: I signed for the, for  
11 the papers, so I actually received the papers  
12 and I passed them on to the General Manager.  
13 I'm not sure if a separate set of papers were  
14 sent to Mr. Bensusan or not.

15 MEMBER BROOKS: Yeah, so were they  
16 given to the licensee? Mr. Bensusan?

17 MR. CONSENZA: Yes.

18 MEMBER BROOKS: So he was aware of  
19 this hearing then?

20 MR. CONSENZA: Yes.

21 MEMBER BROOKS: Okay. All right.

22 Thank you, Madam Chair.



1 CHAIR MILLER: Okay Mr. Brooks.

2 I'm sorry, Mr. Rodriguez.

3 MEMBER RODRIGUEZ: I'm back to  
4 clarify the status of Howard again. I keep  
5 hearing that the owners of Howard. Who owns  
6 Howard Theatre?

7 MR. WHITE: It's the People's  
8 Theatre. On record I see the LLC, The Howard  
9 Theatre, LLC and like I said, I'm not sure, I  
10 can't go to the facts of what deal was broken  
11 down between the government, Mr. Ellis and Mr.  
12 Bensusan. My understanding was that it was a  
13 joint partnership between the Bensusan's and  
14 the Ellis's but I wasn't, I don't know all the  
15 intricate details, the business agreement.

16 MEMBER RODRIGUEZ: Madam Chair,  
17 maybe throughout, you know, our discourse and  
18 since this is a fact-finding hearing and  
19 nobody's under oath I just want to find out  
20 what the facts are. That's my job here and  
21 one of the, what I don't understand exactly is  
22 if the DC government put up hard dollars to

1     revitalize Howard I'm glad they did, well  
2     then, you know, and I guess some kind of  
3     entity was developed, a not-for-profit entity  
4     I imagine you mentioned?

5                   MR. WHITE:   Yes.

6                   MEMBER RODRIGUEZ:   Okay, so is  
7     that a not-for-profit entity hiring somebody  
8     to do the management?

9                   MR. WHITE:   No.   Not that I  
10    believe.

11                  MEMBER RODRIGUEZ:   Okay.   So I go  
12    back, who owns Howard Theatre?

13                  MR. WHITE:   I've answered that  
14    question to the best of my ability.   My answer  
15    would be the same again if I was to repeat it.  
16    What I, what I know, I can only give you the  
17    information that I know.   The information that  
18    I know is there was a partnership between the  
19    Bensusans and the Ellises.   That's the  
20    information that I know.   I don't know what  
21    that, what is on record.   I don't know what  
22    the official agreement is.   It's just the

1 information that--

2 MEMBER RODRIGUEZ: Mr. White, I  
3 appreciate that. So somebody knows, right and  
4 so is there anybody here that would know, that  
5 would answer that. Okay.

6 MR. COSENZA: Yes sir, through  
7 the, through the course of my investigation  
8 reviewing ABRA records, the, the ownership is  
9 listed as Howard Theatre Entertainment, LLC  
10 with Mr. Danny Bensusan as the managing  
11 member.

12 MEMBER RODRIGUEZ: And so the  
13 liquor license application was made by this  
14 LLC to our board?

15 MR. COSENZA: Yes, sir. Okay.  
16 Thank you.

17 MEMBER ALBERTI: Mr. White, just to  
18 be clear to you, I want you to understand we  
19 are here today to look at the license.

20 MR. WHITE: Yes.

21 MEMBER ALBERTI: Ownership aside,  
22 my own part, when I speak of owner, I talk

1       about owner of that license.

2                   MR. WHITE:   Okay.

3                   MEMBER ALBERTI:   And it is very  
4       clear in the record that Mr. Bensusan and Mr.  
5       Ellis are the owners of the license.   Their  
6       name is on the application.   So I just want to  
7       put that out there for the record so you know  
8       when I speak of the owner what I'm talking  
9       about so there's no confusion in the future,  
10      cause I'm going to have a lot to say about  
11      that.

12                  CHAIR MILLER:   Okay.   Anything  
13      else?   So perhaps, Mr. Brashears, you could go  
14      and briefly address the next case, which I  
15      have as 14-251-00013, which also deals with  
16      actions by security.   I believe problems with  
17      that and then maybe if we can follow-up with  
18      any questions about security.

19                  MR. STEWART:   I'm sorry, ma'am,  
20      you said 00--

21                  CHAIR MILLER:   I have on my list  
22      next 14-251-00013 involving females being

1 struck in the face.

2 MEMBER ALBERTI: 00013 was the  
3 first case that Mr. Brashears.

4 CHAIR MILLER: No. No we did  
5 00093, was the first case.

6 MEMBER ALBERTI: Oh, 93 was the  
7 first one you spoke of?

8 CHAIR MILLER: Do you have that  
9 one?

10 MR. STEWART: No, ma'am, I was not  
11 the investigator on that case.

12 CHAIR MILLER: Oh, okay. Is there  
13 an investigator here on the case? Okay, so,  
14 all right, well briefly there is a case report  
15 for February 2014 where there was an incident  
16 of two groups of female patrons returning from  
17 the restroom, bumping into each other where  
18 they had a verbal altercation that turned  
19 physical and I guess Officer Day was the  
20 officer who wrote the report, I believe, and  
21 said that one of the females was struck in the  
22 face by fists and then transported to George

1 Washington Hospital for treatment. Okay, so  
2 we're not going to do the whole description of  
3 it. That's it, but I just wanted to follow-up  
4 because I was holding my question on security  
5 until we heard the other case, which is this  
6 case, so it sounds to me like the change you  
7 have made is you've hired a professional  
8 security company, right, but that's the basic  
9 change. My question is there's no plan  
10 though, that they have to follow so how does  
11 that work? You just, how many are there and  
12 what do they do?

13 MR. COSENZA: Well each event  
14 calls for a different plan, depending on what  
15 type of crowd and show we're expecting, the  
16 numbers we're expecting we can adjust that.  
17 We have not, it's still in its very early  
18 phases so we haven't filed anything, we  
19 haven't set anything you know, in stone yet  
20 because we do so many different types of  
21 events over the course of a few months, we  
22 don't have reoccurring events so for instance,

1 if it's search crowd that we would have to,  
2 you know, do a pat down and a lawn for, we  
3 would require twelve to sixteen guards from  
4 the company, depending on the attendance  
5 numbers.

6 CHAIR MILLER: Do you have that  
7 written down anywhere? I mean you're saying  
8 this is what you would do?

9 MR. COSENZA: I don't.

10 CHAIR MILLER: So it's just coming,  
11 who decides? You?

12 MR. COSENZA: I've been handling,  
13 yes, depending on the ticket numbers, talking  
14 to the head of security, discussing with the,  
15 the other managers if we've had a similar  
16 party in the past, what the crowd has been  
17 like in the past.

18 CHAIR MILLER: Okay. Do you, have  
19 you conferred with the MPD at all with respect  
20 to security?

21 MR. COSENZA: We've spoken to  
22 them, I don't think formally. We haven't had

1 a sit-down, not myself.

2 CHAIR MILLER: Have you had  
3 problems with violent incidents since you've  
4 been manager?

5 MR. COSENZA: Since I've been  
6 there, no, we've not.

7 CHAIR MILLER: You holding all  
8 your questions to the end? Whatever, just let  
9 me know. Okay. Don't forget them. Any other  
10 questions on this, this? Yes, Mr. Short.

11 MEMBER SHORT: Again, good  
12 morning. You stated you changed a lot of  
13 things but there's nothing in writing, so what  
14 if our ABRA investigators or inspectors were  
15 to come by one evening when you have a large  
16 crowd and said to you how many security do you  
17 have, you would just tell them off the top of  
18 your head what you think you have or would you  
19 know that, would that be written anyplace?

20 MR. COSENZA: No I would know it.  
21 I send an email out to the manager of the  
22 security company and we discuss those numbers



1 throughout the week. We look at our ticket  
2 sales to see if anything has increased, so I  
3 would have a definite number. We also have,  
4 we would have written down the security guards  
5 that are there that day. We would have a  
6 sign-in sheet for them so we would have a  
7 counter there and I would be an active member  
8 of controlling the door and, you know, other  
9 areas of the room.

10 MEMBER SHORT: Okay, you say you  
11 come here from New York?

12 MR. COSENZA: Yes.

13 MEMBER SHORT: Do you have any  
14 venues like the Howard Theatre in New York  
15 where you come from?

16 MR. COSENZA: Very similar. We  
17 have BB King's. It doesn't have the history  
18 that the Howard has but it has been around  
19 since the, since 2001 and we do similar style  
20 shows and events there.

21 MEMBER SHORT: Do they have a  
22 security plan? Do they have a plan someone

1       could see at that venue in New York?

2                   MR. COSENZA:  I don't believe so.  
3       I don't think it was.

4                   MEMBER SHORT:  You don't think  
5       they do?  Well I would say to you I would  
6       think that MPD, I know this board, I as a  
7       board member, would expect that you have  
8       something in writing so that people would know  
9       how to help you manage a situation.  If you  
10      were to have five one night and seven another  
11      night, maybe none some nights because you  
12      didn't do any warning whatever, as you was  
13      saying, it could cause some problems for this  
14      city that we don't need and we as a board  
15      here, who oversee ABC licenses would like to  
16      see a plan.  I've said it and a couple other  
17      board members have said it and it seems like  
18      even though you came here today you aren't  
19      prepared to tell us anything about a plan, to  
20      tell us anything about any changes other than  
21      you are now in charge, you've had some  
22      meetings with some people, but there's nothing

1     that we can rely on that this won't happen  
2     again.  It's unacceptable and for you to have  
3     a license, let me, forgive me, and for you to  
4     have a license here in the District of  
5     Columbia to sell alcohol at a price as pricey  
6     as the Howard Theatre you need to take better  
7     care.  I'm saying that as a citizen and a  
8     board member and we will be watching very  
9     closely and I don't know what's going to  
10    happen after this fact-finding hearing but I'm  
11    going to be quite, quite, quite frank with  
12    you, I am dissatisfied.  Very dissatisfied and  
13    I don't want to say that very mildly.  I want  
14    you to understand that this board, my vote  
15    anyway, my vote on this board, is very  
16    dissatisfied.  Thank you, Madam Chair.

17                   CHAIR MILLER:  Okay.

18                   MEMBER ALBERTI:  Any last  
19    questions about this case?

20                   CHAIR MILLER:  Officer Kyle wanted  
21    to, did you not, Officer Kyle?

22                   OFFICER KYLE:  Yes, ma'am.

1                   MEMBER ALBERTI:   Okay, that's  
2   fine.

3                   OFFICER KYLE:   Again, I'm Officer  
4   Kyle.   I've been in the third district for  
5   thirteen years and I've watched Mr. Chip Ellis  
6   and his partner build the theater.   You've  
7   been here for a calendar month now?   A little  
8   more than a calendar month.   You decided to  
9   hire a new security company.   Can you tell me  
10   that name again?

11                  MR. COSENZA:   DNP.

12                  OFFICER KYLE:   Say it again.

13                  MR. COSENZA:   DNOP.

14                  OFFICER KYLE:   And that acronym  
15   stands for what?

16                  MR. COSENZA:   I don't have that  
17   information.

18                  OFFICER KYLE:   You do not know?

19                  MR. COSENZA:   No.

20                  OFFICER KYLE:   Okay.

21                  MEMBER ALBERTI:   Do you have a  
22   contract?   I'm sorry to interrupt.

1                   OFFICER KYLE: That's fine. Yes.

2                   MEMBER ALBERTI: I'm trying to  
3 help here. So do you have a contract with  
4 them?

5                   MR. COSENZA: I don't physically  
6 have the contract with me but, yes, we do have  
7 a contract with them.

8                   MEMBER ALBERTI: And you're  
9 willing to provide that to the board?

10                  MR. COSENZA: I can.

11                  MEMBER ALBERTI: All right, great,  
12 so then we'll share that with the officer.  
13 Thank you.

14                  OFFICER KYLE: Mr. White has all  
15 of my contact information I believe you still  
16 do. Several concerns, have you, you've  
17 already used the company, is that correct?

18                  MR. COSENZA: Yes.

19                  OFFICER KYLE: Are they licensed  
20 in the District of Columbia?

21                  MR. COSENZA: Yes.

22                  OFFICER KYLE: Are they licensed

1 through our SOMD?

2 MR. COSENZA: I am not sure about  
3 that.

4 OFFICER KYLE: You're not sure.  
5 Are they armed or unarmed?

6 MR. COSENZA: Unarmed.

7 OFFICER KYLE: Unarmed. Okay.  
8 I'm asking about our SOMD which is our  
9 security branch within the District of  
10 Columbia because it further lets us know what  
11 kind of training they have, what kind of  
12 training they will have. It lets them know  
13 what they're allowed to do and not allowed to  
14 do in the District of Columbia. Those are  
15 things that I would personally like to know.  
16 I'm one of the few members that have been in  
17 this PSA the longest and dealing with Howard  
18 since it restarted. Something like that I  
19 would love to report back to Lieutenant Hova  
20 which is the lieutenant for this, for that  
21 particular PSA of the Howard Theatre. We  
22 would also like to know the moment you get an

1 action plan. You're using a company and we  
2 don't even know your action plan, your  
3 evacuation plan, your members that are going  
4 to be working within as well as outside. We  
5 would need to know who we are encountering  
6 before something takes place. We would also  
7 like to know exactly what their uniforms are  
8 going to look like so if, in fact, we have to  
9 approach we know who we're approaching. Those  
10 are all safety measures that an MPD member  
11 will need to know. They're unarmed but do  
12 they carry any other equipment? What are  
13 their security protocols? Regardless of the  
14 fact that they will be trained by MPD, every  
15 company has their own protocols. We would  
16 need to know that as well. As far as your  
17 security camera footage, is there someone  
18 there to access?

19 MR. COSENZA: Yes.

20 OFFICER KYLE: Is that around the  
21 clock?

22 MR. COSENZA: Not 24/7, not when

1 we're closed but.

2 OFFICER KYLE: But of course not,  
3 but as long as the establishment is open is it  
4 accessible?

5 MR. COSENZA: Yes.

6 OFFICER KYLE: Is it recordable?

7 MR. COSENZA: Yes.

8 OFFICER KYLE: Perfect.

9 MR. COSENZA: May I make a  
10 comment? It was recordable up to 12 days and  
11 then it re-recorded over itself and we have  
12 extended that to 21 days now because of some  
13 of the past instances.

14 OFFICER KYLE: Thank you. Is  
15 there an evacuation plan set forth that MPD is  
16 aware of?

17 MR. WHITE: There is a plan set  
18 forth. I'm not sure if MPD.

19 OFFICER KYLE: Has it been given  
20 to the fire marshals?

21 MR. WHITE: Well the fire marshals  
22 have been there several times, I'm sure it



1       has. I haven't personally given it to them  
2       but if one was requested I'm sure it was.

3               OFFICER KYLE: Is it feasible for  
4       us to get a copy?

5               MR. WHITE: Sure.

6               OFFICER KYLE: Thank you. That's  
7       it for the moment.

8               CHAIR MILLER: Thank you very  
9       much. Okay. Mr. Alberti, did you have a  
10      question?

11              MEMBER ALBERTI: Yes. Okay on the  
12      February 15 event, the one we're on right now,  
13      Mr. White, were you the head of security at  
14      that time?

15              MR. WHITE: Yes, I believe so.  
16      This, the incident--

17              MEMBER ALBERTI: February 13,  
18      2014, so you were head of security?

19              MR. WHITE: Yes.

20              MEMBER ALBERTI: Okay. Just out  
21      of curiosity who's head of security now?

22              MR. WHITE: Mr. Derek Harris.

1 MEMBER ALBERTI: Pardon?

2 MR. WHITE: Mr. Derek Harris.

3 MEMBER ALBERTI: Derek?

4 MR. WHITE: Derek Harris.

5 MEMBER ALBERTI: Derek Harris.

6 MR. WHITE: Yes.

7 MEMBER ALBERTI: So is he the, so  
8 is the Harris, Mr. Harris that's been  
9 referenced in these reports?

10 MR. WHITE: No. Different,  
11 different Harris. That was Mr. Melvin Harris,  
12 which was the general manager.

13 MEMBER ALBERTI: Okay, so you  
14 understand why I was stumbling.

15 MR. WHITE: Yes.

16 MEMBER ALBERTI: And how long as  
17 he been head of security?

18 MR. WHITE: I want to say eight  
19 months. I'm not exactly sure of the exact  
20 amount of time.

21 MEMBER ALBERTI: Were you head of  
22 security on January 19, 2014?

1 MR. WHITE: Yes.

2 MEMBER ALBERTI: Were you present  
3 for either one of those?

4 MR. WHITE: I believe I was  
5 present for the young lady who, the incident  
6 between the ladies.

7 MEMBER ALBERTI: Were you present  
8 for the 2000, the January 19 one?

9 MR. WHITE: I wasn't present for  
10 the gentleman who was put out and then being  
11 put out.

12 MEMBER ALBERTI: Pardon?

13 MR. WHITE: I wasn't present for the gentleman  
14 who was escorted from the building and then  
15 was, had to be re-escorted.

16 MEMBER ALBERTI: Okay. I will ask  
17 more question in that vein later when things  
18 are summing up. Great. Thank you.

19 CHAIR MILLER: Okay, any other  
20 questions? Okay. The next case I have on my  
21 list is case number 14-CMP-00240 with respect  
22 to an incident on May 18, 2014 and there

1       wasn't an ABC manager.

2                   MR. VICK:   Yes, ma'am.

3                   CHAIR MILLER:   Okay.   Do you want  
4       to speak to that one?

5                   MR. VICK:   Yes.

6                   CHAIR MILLER:   Okay.

7                   MR. VICK:   Investigator Zachary  
8       Vick with ABRA.   On Sunday, May 18, 2014 at  
9       approximately 1:55 in the morning Supervisory  
10      Investigator Stewart and I were conducting  
11      routine monitoring of ABRA establishments.   We  
12      observed a large amount of cars and activity  
13      in front of the Howard Theatre.   When we  
14      approached the theater there was a crowd of  
15      approximately 75 to 100 patrons massed in  
16      front of the entrance.   There was no set  
17      waiting areas, there was no security staff  
18      directing people on how to enter the theater  
19      so these people were pushing up against the  
20      glass and it was chaos in front of the  
21      theater.   Investigator Stewart and I  
22      physically pushed our way through the crowd

1 and got to the front entrance, identified  
2 ourselves as ABRA investigators and were  
3 allowed entry. Once inside we asked for an ABC  
4 manager or owner of the establishment. We  
5 were told to wait while they found that ABC  
6 manager, I want to say that the security  
7 staff, not all of them had radios and not all  
8 of them knew who the ABC manager or who was in  
9 charge. It took approximately fifteen minutes  
10 for an ABC manager to come and speak with  
11 Investigator Stewart and I.

12 During this time, we were  
13 observing the front of the establishment and  
14 they were utilizing one door for ingress and  
15 egress of patrons into the establishment, so  
16 you had a crowd of 75 to 100 pushing against  
17 the front door and security staff trying to  
18 organize it but there's no organization  
19 outside, so patrons that are inside the  
20 establishment, we would see them walk towards  
21 the front and want to leave and be told by  
22 security staff you cannot leave at this time.

1 Please go back into the theater. There was no  
2 alternative exit made available for the  
3 patrons. Also the security staff was engaging  
4 in loud profane arguments with members of the  
5 public. We observed one male security staff  
6 member screaming at a member of the public,  
7 member of the public is yelling back to the  
8 member of the security staff. They had to be  
9 physically separated by members of the  
10 security staff and members of the public.

11 Around this same time there was a  
12 patron of the establishment who was waiting in  
13 the lobby and he was watching the, for lack of  
14 better term, chaos near the door and a female  
15 member of the security staff told him to go  
16 back into the establishment and that he could  
17 not wait there. The patron said well I don't  
18 really understand and the female staff member  
19 visibly angry began shoving, physically  
20 shoving him towards the door. She continues  
21 to shove him towards the door and there was a  
22 partition, kind of thing that holds velvet

1 ropes, she shoves the patron into the  
2 partition and almost knocks him down.

3 At this time, other members of the  
4 security staff rush over and restrain the  
5 female staff member. At this point she says  
6 I have no authority here and she leaves her  
7 post in anger. Also during this time, as a  
8 matter of fact, as soon as we entered the  
9 establishment an overwhelming odor of  
10 marijuana and cigarette smoke was observed  
11 inside of, literally clouds of smoke in the  
12 establishment. At approximately 2:10, Manager  
13 Melvin Harris came to speak with us and  
14 identified himself as the ABC Manager. Mr.  
15 Harris did not have his ABC Manager's License  
16 on him at that time, which is in itself a  
17 violation but he provided his driver's license  
18 to me and I took down his address and name.  
19 Upon returning to ABRA later that evening I  
20 looked up Mr. Harris in the ABRA database.  
21 His ABC Manager's License had expired in July  
22 of 2013. So there had been no ABC Manager,

1     there was no other manager managing the  
2     establishment at that time. I'll refer to  
3     Investigator Stewart at this time.

4                   MR. STEWART: Again, I'm  
5     Supervisory Investigator Stewart. Again, it  
6     was complete chaos. To further give you more  
7     details about the event that was occurring it  
8     was a Floyd Mayweather promotion that night.  
9     It was, it was so bad that when his bus  
10    arrived to drop him off at the location they  
11    couldn't get through the front door that his  
12    security had to go around to a side entrance.  
13    We waited approximately 15 to 20 minutes for  
14    a manager to be found. Again, no one utilized  
15    any radios, half the people didn't know who  
16    was in charge. Mr. Harris identified himself  
17    by name and told us that he was the ABC  
18    Manager at which point I directed his  
19    attention to the front door. There was a  
20    gentleman in a wheelchair that was trying to  
21    leave the establishment and because of the  
22    chaos at the front door on the outside, people



1     trying to force their way in and security  
2     arguing with them, this gentleman sat there  
3     for ten minutes trying to leave the  
4     establishment.

5                     I asked Mr. Harris, well I  
6     basically explained to him that I felt this  
7     was a public safety issue and I needed for him  
8     to immediately get control of the front door.  
9     He said give me a second, I'll take care of it  
10    and he pushed his way through the crowd. He  
11    went outside to where security was gathered at  
12    the front door. They became engaged in  
13    physically pushing patrons back away from the  
14    door to try to clear the area. It took them  
15    approximately ten minutes for the access or  
16    egress and ingress to be cleared to the side.  
17    As soon as Mr. Harris came back in he said, he  
18    asked me was that adequate and I explained to  
19    him when he turned back around again everybody  
20    had massed in front of the door. I told him  
21    that I was going to contact MPD and the fire  
22    marshal. I immediately used my ABRA issued

1 cell phone, contacted the fire marshal and  
2 explained the situation that I thought was a  
3 public safety issue and then I also called  
4 911 to have MPD arrive.

5 Approximately ten minutes later  
6 MPD arrived and they had to drive their  
7 cruisers onto the sidewalks to separate the  
8 mass of people at the front door. They began  
9 using their radios to ask the crowd to  
10 disperse. They had to ask people to line up  
11 along the side of the building to create a  
12 proper egress, entrance and egress. Mr. Harris  
13 stated that he was in control, that there was  
14 no issues. As we were talking again another  
15 fight broke out the front door. We saw people  
16 walking around with bottles of champagne with  
17 no glasses and I talked to Mr. Harris about  
18 security plan. He said he didn't have one.  
19 I asked him who was in charge of security. He  
20 said that he was and at that, while we were  
21 talking the fire marshal arrived. He had to  
22 force his way through the crowd and he was in

1 full uniform.

2           Once he came in he wanted to look  
3 at the venue to see if it was overcrowded. He  
4 made a determination that it wasn't but what  
5 he did recognize was that they were using  
6 pyrotechnics in the, I guess in the service of  
7 alcohol and so he did pull Mr. Harris aside.  
8 We went into the office and he explained to  
9 Mr. Harris that he needed a permit for these  
10 items. Mr. Harris stated that he didn't, so we  
11 were, there was other representatives of the  
12 Howard Theatre there. I'm sorry, we don't  
13 have their names, but they wanted to know what  
14 was going on and interjecting so at this time  
15 one of my investigators pointed out to me that  
16 it was approximately five minutes till three  
17 am and at which point the DJ was still  
18 playing, patrons were still drinking and  
19 smoking and I asked Mr. Harris does he know  
20 what time his establishment is required to be  
21 closed and he stated, yes, 3:00 and I said  
22 well it's 2:55 and just as we were having this

1 conversation a server came in to the kitchen  
2 and grabbed bottles of alcohol to take back  
3 out to serve to patrons. So I asked Mr.  
4 Harris how he planned on getting hundreds of  
5 people out of the establishment within the  
6 next five minutes and he stated that, well he  
7 was under the impression that he had to stop  
8 selling at 3:00 and that there would be no  
9 issue to get patrons out in a timely manner.  
10 We stayed till approximately 3:10 am, we took  
11 photographs of the DJ still playing and  
12 patrons drinking, consuming alcohol and also  
13 smoking what would be marijuana cigarettes. We  
14 then left the premises.

15 MR. VICK: I would also like to  
16 add that at 3:10 am when we went around and  
17 observed all these patrons still drinking  
18 alcohol there were no members of the security  
19 staff in the main area of the theater ushering  
20 people towards the door, telling them to wrap  
21 it up. I personally observed a group of  
22 patrons that were there I think for a birthday

1 party and they had a large round of shots and  
2 another patron was pouring a full bottle of  
3 champagne into another patron's mouth. There  
4 was no effort to remove these patrons from the  
5 theater, tell them the place was closed and  
6 there was hundreds of them in the main area of  
7 the theater at 3:10 am.

8 CHAIR MILLER: Okay. Officer  
9 Kyle, do you have anything to add right now?

10 OFFICER KYLE: No, ma'am.

11 CHAIR MILLER: Okay. Questions  
12 and then we'll get to the licensees.

13 MEMBER BROOKS: I have a question.

14 CHAIR MILLER: Okay, Mr. Brooks.

15 MEMBER BROOKS: Mr. White, were  
16 you there that night, that morning?

17 MR. WHITE: I'm going to say I was.  
18 I'm not absolutely sure but most, most big  
19 parties I am.

20 MEMBER BROOKS: You're not sure.  
21 All that was going on and you can't remember  
22 being there?

1 MR. WHITE: Well we have --

2 MEMBER BROOKS: Parties like that  
3 all the time, huh?

4 MR. WHITE: We open five,  
5 sometimes six days a week.

6 MEMBER BROOKS: Were you head of  
7 security at that time?

8 MR. WHITE: Yes, I believe so.

9 MEMBER BROOKS: No more questions.

10 CHAIR MILLER: Yes, who was that,  
11 Mr. Alberti? Okay.

12 MEMBER ALBERTI: So Mr. White I'm  
13 incredulous that you don't know whether you  
14 were there for this event. Just absolutely  
15 incredulous. We have fire marshal come in, we  
16 have ABRA come in, talk to the management and  
17 this doesn't register with you as something  
18 you would remember?

19 MR. WHITE: That's, that's why I  
20 said I'm not sure. It would be something that  
21 I would remember. I don't remember it. I  
22 don't want to say for sure that I wasn't in

1 the building just because I don't remember  
2 these incidents.

3 MEMBER ALBERTI: All right. I'm,  
4 quite personally, I'm impressed. Mr. Cosenza,  
5 have you seen this report.

6 MR. COSENZA: Yes, I did see it.

7 MEMBER ALBERTI: All right. Do  
8 you have a copy there?

9 MR. COSENZA: Right here.

10 MEMBER ALBERTI: Great party.  
11 Absolutely wonderful party, wouldn't you  
12 agree?

13 MR. COSENZA: Not at all.

14 MEMBER ALBERTI: Pardon?

15 MR. COSENZA: Not at all.

16 MEMBER ALBERTI: Why not?

17 MR. COSENZA: That's not how we  
18 throw parties in New York and that's why I  
19 came down here.

20 MEMBER ALBERTI: Looks like  
21 everybody's having fun. Would you agree?  
22 People are having a great time. Would you

1 agree with that?

2 MR. COSENZA: Not good clean fun.

3 MEMBER ALBERTI: It is fun. I  
4 mean, look at them. I mean I've got people  
5 with full bottles of champagne here. I've got  
6 people pouring what sure looks like a liquor  
7 bottle to me, pouring drinks into somebody's  
8 mouth in this picture.

9 MR. COSENZA: Yeah, I don't deny  
10 that we were severely understaffed and  
11 mismanaged at that time.

12 MEMBER ALBERTI: And your head of  
13 security, your head of security, I should  
14 probably shouldn't be going here just to tell  
15 you because I don't really want to get into  
16 your personal, how you manage your personnel,  
17 but your head of security at this time is  
18 sitting next to you and has been promoted.  
19 Boy, that just doesn't, that's not the way I  
20 would do business. I'll just tell you that.  
21 So, sure go ahead, speak to that.

22 MR. COSENZA: The thing is one of



1 the problems in the past was they weren't  
2 licensed security guards. We called them our  
3 host team, which was part of the problem so he  
4 was the head of what some people called  
5 security and some people called hosts. One of  
6 the moves that we made with Mr. White was to  
7 move him to a management position where his  
8 customer service relations, which is what he  
9 was hailed at, could be more utilized. He was  
10 taken away from, obviously, something that was  
11 above his head in managing a security team.

12 MEMBER ALBERTI: Well I, I'm sort  
13 of seeing it as something different. I'm sort  
14 of seeing it as the Peter principle here, but  
15 let's move on. Can either one of you tell me  
16 who your licensed ABC Managers are?

17 MR. WHITE: I'm a licensed ABC  
18 Manager.

19 MEMBER ALBERTI: But you don't  
20 remember if you were there that night. Do  
21 you?

22 MR. WHITE: Well at that time I

1       wasn't part of the management team so --

2                   MEMBER ALBERTI:   I don't care.

3       You don't remember if you were there that  
4       night, right?

5                   MR. WHITE:   Right.

6                   MEMBER ALBERTI:   Who are your  
7       licensed ABC Managers, that's my question?  
8       Who are they?   I want their names.

9                   MR. COSENZA:   Damon White.

10                  MEMBER ALBERTI:   That's it?

11                  MR. COSENZA:   That's it.

12                  MEMBER ALBERTI:   That's the only  
13       licensed manager you have on staff?   And Mr.  
14       White has admitted that he's not there all the  
15       time.   Are you, you're new to the city, so I  
16       don't   have the statute but Mr. Cosenza please  
17       be mindful of, I don't know what it's like in  
18       New York, but here every time you have alcohol  
19       service you need, it is required to have a  
20       licensed ABC Manager on duty. You might want  
21       to write that down because we are not  
22       forgiving on that.

1 MR. COSENZA: I understand that.

2 MEMBER ALBERTI: I have no other  
3 questions.

4 CHAIR MILLER: Mr. Short.

5 MEMBER SHORT: I won't give you my  
6 total background but I'll say this to you, I  
7 am very aware of public safety and the way  
8 this city used to be managed, we would call a  
9 business that has that overcrowding, people  
10 pouring alcohol in each other's mouths, no  
11 entranceways or clear and concise as the law  
12 says, that's a public nuisance. So what I'm  
13 hearing today is and for the record, I'd just  
14 like for you to know, I'm detecting a  
15 description of what you're saying as you are  
16 functioning a public nuisance in Washington,  
17 DC, the nation's capital. Howard University,  
18 Howard Theatre is not new to having large  
19 shows. I witnessed James Brown being there.  
20 There used to be a way, the only way you could  
21 get to Howard Theatre back during that period  
22 of time in the sixties and seventies, there

1 was a line to go in and a line to come out.  
2 There was a line to buy tickets and a line to,  
3 in other words what the lines would do was go  
4 from the front of Howard Theatre back around  
5 7th Street almost to F Street. A single line.  
6 And the other line would go all the way back  
7 down Florida Avenue. I'll just say this.  
8 There were no policeman in the lines. People  
9 knew you didn't buck the line to watch  
10 anything back then.

11 I guess we just had a different  
12 crowd of people but you could always get in.  
13 You could always get out. People with special  
14 needs and wheelchairs were given first  
15 preference. Anybody could pull in front of the  
16 theater or behind the theater. The fire  
17 service had no problems getting in or  
18 ambulance had no problems. It sounds like to  
19 me, and pyrotechnics, fireworks, no permit  
20 inside of a building with that crowd. That's  
21 the reason why I'm saying it was a nuisance.

22 It was absolutely lucky for you,

1 for Howard Theatre that no one got injured  
2 that night or stampeded or trampled and you  
3 sit here with a calm face saying you don't  
4 know whether or not you were even there and  
5 you're the only ABC licensee, license manager  
6 for the establishment. I am going to make a  
7 recommendation in a very strong way, I don't  
8 say, I can't say it on, on the podium here,  
9 but I really think the Howard Theatre needs to  
10 be regrouped, re-managed and that the service  
11 of the Howard Theatre should be suspended  
12 until such time as these things are taken at  
13 heart. You sit here and wait, forgive me, you  
14 sit here with a calm face, you're the only  
15 licensed ABC Manager and you can't even  
16 remember this incident. You're incompetent,  
17 sir. Thank you. Now if you have something to  
18 say, please do.

19 MR. WHITE: Yes, please. At that  
20 time I wasn't a manager. I wasn't the ABC  
21 Manager at that time so I wouldn't have been  
22 the manager on duty with the license at that

1 time.

2 MEMBER SHORT: Were you there that  
3 night?

4 MR. WHITE: I can't tell you for  
5 sure whether I was or not, sir. Okay.

6 MEMBER ALBERTI: So, just to be  
7 clear, you weren't an ABC Manager at that  
8 time?

9 MR. WHITE: No.

10 MEMBER ALBERTI: So even if you  
11 were there you wouldn't have counted as the  
12 manager.

13 MR. WHITE: Right. That's what  
14 I'm --

15 MEMBER ALBERTI: Just wanted to  
16 make sure we have that for the record. Thank  
17 you. That's all I need to know. Thank you.

18 CHAIR MILLER: Okay. But you were  
19 head of security at that time?

20 MR. WHITE: Yes.

21 CHAIR MILLER: So, did you get a  
22 report on this incident? This sounds like a

1 really big deal.

2 MR. WHITE: Yes.

3 CHAIR MILLER: If you were head of  
4 security wouldn't you have gotten a report?

5 MR. WHITE: Yes, we had, we had a  
6 meeting about the report and but that's what  
7 I, that's when I was addressing the I was  
8 saying that I don't remember seeing the ABC,  
9 that's why I believe that I may not have been  
10 there. I didn't want to say that I wasn't  
11 there and was. I didn't deal with any of  
12 these instances. If I was in the building at  
13 the time I believe I would have. That's all,  
14 that's what I was saying.

15 MEMBER ALBERTI: Mr. White, I'm  
16 sorry, I have to, I just, it's incredulous to  
17 me that if I was in the building I would, it  
18 would have seemed certainty that the head of  
19 security would be, would be dealing with ABRA  
20 if they were there. I'm sorry I just couldn't  
21 hold my tongue. Please forgive me.

22 CHAIR MILLER: So, do you keep,

1 did you keep a record of who was, showed up  
2 for work that day? I mean is there a record  
3 of whether you were there or not?

4 MR. WHITE: Yes, I'm sure there  
5 is.

6 CHAIR MILLER: Okay.

7 MEMBER ALBERTI: Can we get it? I  
8 would love it. Can we get it?

9 MR. WHITE: Yes.

10 MEMBER ALBERTI: All right, so  
11 let's put that on the list, please. The  
12 things we want.

13 MEMBER SHORT: One last thing  
14 though, Madam Chair.

15 CHAIR MILLER: Okay. All right.  
16 Go ahead.

17 MEMBER SHORT: Can anyone from  
18 Howard Theatre tell me if they're familiar  
19 with what is called the RDO, where having the  
20 Metropolitan Police Department there, are you  
21 familiar with that?

22 MR. COSENZA: Yes.



1                   MEMBER SHORT: You are familiar  
2 with that. Have you ever thought of trying to  
3 do that?

4                   MR. COSENZA: We have. We've been  
5 discussing it with the owners, pushing for it.

6                   MEMBER SHORT: You've been  
7 discussing it but after these incidents we've  
8 only been through two of the five that that  
9 are before us today, what, this is the third  
10 one, and the dates go back to well, I'm  
11 looking at the whole record here, back to May  
12 24, 2012 to July 10, 2014 incidents and no  
13 one's ever thought about having the  
14 reimbursable detail? Yes, Officer, please.

15                  OFFICER KYLE: You beat me to it;  
16 however, on last night I pulled up a total of  
17 41 occurrences at 620 T. Street Northwest.

18                  MEMBER SHORT: 41?

19                  CHAIR MILLER: I'm sorry but we  
20 can't understand what you're saying in the  
21 microphone.

22                  OFFICER KYLE: Oh, sorry. Sorry.

1 I pulled up a total of 41 occurrences at 620  
2 T. Street Northwest on yesterday. There are  
3 quite a few ABRA violations listed within;  
4 however, at no point, back to Chip Ellis as  
5 one of the non-profit owners of the  
6 establishment, it was brought up to him  
7 numerous times about the RDO. It was brought  
8 up to him about even just note, which is why  
9 I made sure multiple employees had my business  
10 card with my email, with my contact.

11 MEMBER SHORT: Forgive me, so  
12 you're saying you talked to Chip Ellis about  
13 RDOs and he was supposed to be here today and  
14 he's not even here to address that. But go  
15 ahead. I want that on the record.

16 OFFICER KYLE: Yes, sir. However,  
17 it was also brought up just the mere fact of  
18 whenever you guys have because the RDO never  
19 took place, so in order to assist MPD the  
20 concern arose, well here's my email address.  
21 You can always reach me. If need be give me  
22 a itinerary for your next calendar month so at

1     least that way I can reach out to my  
2     colleagues, let them know what is going on so  
3     we can make sure that we're in the area based  
4     upon the event. Give us the heads up so if we  
5     have to come around we can. At least we're  
6     made aware of what's going on that night or  
7     the next, the upcoming night. It worked for  
8     a little while with me. They would email me,  
9     let me know their calendar and I would pass it  
10    on to my supervisor. It stopped. I don't  
11    know why. I can't answer why, but it just  
12    stopped. No RDO, no, just no part-time, no  
13    anything to assist which is why I was  
14    stressing with the security. You guys are  
15    utilizing a company that none of us have any  
16    clue of who they are. We need to note there  
17    are certain criteria and safety issues that a  
18    ton of eyebrows are going to raise. And then  
19    I guess one of my biggest questions is because  
20    you keep stressing that you're from New York,  
21    in the District of Columbia, we have our own  
22    kind of music that attracts different crowds

1 of different ages which MPD will say different  
2 ages comes different attitudes. Is there  
3 someone working with you on your security team  
4 other than Mr. White that can assist you on  
5 how to staff your security for what event?  
6 Did that come out correctly?

7 MEMBER ALBERTI: I understood it.  
8 I'm not sure they did.

9 MEMBER BROOKS: It was very clear  
10 and concise.

11 MR. COSENZA: No, I do. I mean I  
12 discuss with my head of security, our  
13 marketing team. We discuss with our PR company  
14 what we're expecting that day. We do research  
15 on the bands. That's how we would get the  
16 information of which crowds would show up for  
17 which events. We don't have go-go in New  
18 York. It's a different animal to me down  
19 here, yes.

20 OFFICER KYLE: It's definitely a  
21 different animal down here. However, your  
22 research, you can't necessarily go based upon

1 your research because who's to say that the  
2 date and the year of that research and that  
3 analyst and that staff. At what point if any,  
4 you've been you said you've been here a month  
5 and a half now, give or take. At what point  
6 as the head of security were you going to step  
7 over to the Third District and discuss with  
8 the PSA officials to let us know exact, not an  
9 official. Stand corrected. But to let them  
10 know what your plans are, what's going to take  
11 place to avoid any chaos? Again we're talking  
12 41 reports from January 1 to the present.

13 MR. COSENZA: I didn't have a plan  
14 for that.

15 OFFICER KYLE: Did not?

16 MR. COSENZA: Did not. Okay.

17 MEMBER SHORT: For the record,  
18 Madam Chair, I'd just like to say be aware,  
19 Howard Theatre, that you will have RDOs if I  
20 have a vote on it and you will have a security  
21 plan and you will have working cameras and you  
22 will be opening and operating if you still

1     have a permit to sell alcohol in this city a  
2     very decent establishment. Right now we are  
3     not impressed at all. Mr. White, how long  
4     have you been in Washington, DC?

5                 MR. WHITE: All my life.

6                 MEMBER SHORT: All your life.

7                 MR. WHITE: Yes, sir. I remember  
8     the Howard the day it opened.

9                 MEMBER SHORT: And when we had the  
10    lines going down 7th Street and the lines  
11    going down Florida Avenue?

12                MR. WHITE: No, I heard those  
13    stories.

14                MEMBER SHORT: You heard those  
15    stories.

16                MR. WHITE: I don't remember it  
17    when it was a regular building, when I had the  
18    opportunity to come work for it I was elated.  
19    It was the pleasure of my, I feel, I feel  
20    great about the Howard Theatre and if it, if  
21    it's coming off any other way.

22                MEMBER SHORT: It's coming off the

1 other way, sir. When you can't remember what  
2 day you're there it comes off as incompetent.  
3 When you can't remember what the Howard  
4 Theatre means to Washington, DC and you can  
5 have people standing out front, people can't  
6 get in and people can't get out, the police  
7 department can't even get in or out, the Fire  
8 Marshal comes and sees fireworks shooting  
9 behind the stands. These pictures show people  
10 pouring alcohol in each other's mouths at 3:00  
11 and you're supposed to be closed at 3:00.  
12 Something's terribly wrong, Mr. White. And  
13 you're not, listening, please let me say this  
14 to you, as Washingtonians one to the other,  
15 you are not an impressive Washingtonian and  
16 business in Washington, DC. You must change  
17 your ways. Thank you. Madam that's all I had  
18 to say. Got to change your ways.

19 CHAIR MILLER: Okay, Mr. White, I  
20 just want to follow up. I mean it just sounds  
21 like, you know, there's this whole issue that  
22 you can't remember and so my question is if

1     you can't remember is it because were there  
2     other incidences like this one that occurred  
3     and you don't know if it was a different one  
4     you were at?

5                     MR. WHITE: I think that the can't  
6     remember thing is out of context. The reason  
7     why I said that, I didn't want to say yes or  
8     no and I actually don't have the information.  
9     It would be lying one way or the other. If I,  
10    as head of security, if incidents like this  
11    happened when I was in the building most  
12    likely I would have been part of it. I would  
13    have been there. I would have been a part of  
14    it. I would have paid attention. I would  
15    have known about it. Since these, since I  
16    wasn't, since I don't remember these issues  
17    happening that night that's why I said it's a  
18    possibility that I wasn't in the building. It  
19    wasn't I don't remember or my memory is bad.  
20    It's not that so many of these incidents  
21    happened that they all run together. If  
22    something like this happened and I was in the



1 building I would have been made aware of it.  
2 I think the not remembering statement has been  
3 taken greatly out of context, in not that I  
4 don't remember. It's that if I was there I  
5 should remember speaking with these gentlemen  
6 and, and then being part of this issue that  
7 happened.

8 CHAIR MILLER: Mr. Stewart I  
9 believe wants to make a statement, right?

10 MR. STEWART: Right. You were the  
11 head of security the night that we visited,  
12 correct? What day was it?

13 MR. WHITE: I believe so, yes.

14 MR. STEWART: Okay, then if you  
15 were in, if you were there, how would your  
16 staff get in touch with you?

17 MR. WHITE: Radio.

18 MR. STEWART: Okay. So, on the  
19 night that we were there no one had a radio.  
20 We were there for over an hour. It took us  
21 fifteen minutes just for someone to find Mr.  
22 Harris. We asked Mr. Harris was there another

1     ABC Manager, who was in charge of the  
2     security. He said he was. At no point did  
3     anyone reference you.

4                   MR. WHITE: And that, that goes,  
5     and, and it's possible that if he said he was  
6     in control that night, it's possible that I  
7     was not in the building. The, but to address  
8     the Mayweather issue, all of our artists or  
9     guests all come to a side entrance, so none of  
10    the artists or guests come through the front  
11    of the building for the crowd control reasons.  
12    All of our artists, all of our guests enter  
13    through the side entrance so that was nothing  
14    out of the ordinary for Mr. Mayweather to come  
15    through the side.

16                  OFFICER KYLE: That's not  
17    necessarily true. I've seen artists, I'm day  
18    work, I see artists go through the front.

19                  MR. WHITE: Right, that's if they  
20    choose to. We have a side entrance for all  
21    artists. Only artists that come through the  
22    front are those who choose to come through the

1 front because they want to meet the guests,  
2 want to stop in the lobby, things of that  
3 nature. We have side entrances for our  
4 artists that lead straight to the dressing  
5 rooms.

6 CHAIR MILLER: Well let me ask  
7 you, do you have procedures for crowd control?  
8 No?

9 MR. WHITE: No.

10 MR. COSENZA: No.

11 MEMBER SHORT: Madam Chair, I have  
12 to ask this. Now if you were in the building  
13 whether you remember that night, there should  
14 be some sign-in, some log, were you paid that  
15 day or did you on the payroll? I know you'd  
16 remember if you didn't get paid if you were  
17 there but I will just simply say this, a lot  
18 of clubs or theaters or places of public  
19 assembly have incident logs. An incident log  
20 would have said who was there and who wasn't,  
21 what happened, what occurred when the fire  
22 department came and the police department. An

1 incident report on your part would help you  
2 defend your business. Since you don't have  
3 those things you really don't have a defense  
4 today because not remembering is not a good  
5 defense. Thank you Madam Chair. That's all  
6 I had to say.

7 CHAIR MILLER: Mr. Alberti.

8 MEMBER ALBERTI: CHAIR MILLER, I  
9 just want to remind Mr. Cosenza that we've  
10 already requested a list of personnel for that  
11 evening so we'll see whether Mr. White was  
12 there or not. But Mr. Cosenza I want you,  
13 just as we go through this hopefully you'll  
14 understand what our expectations are. One of  
15 our expectations is whenever ABRA shows up,  
16 whenever they show up, Manager on Duty and the  
17 Head of Security should make themselves  
18 available to our investigators. Without  
19 question they should step forward and say do  
20 you need me. Is that understood?

21 MR. COSENZA: One hundred percent.

22 MEMBER ALBERTI: Thank you.

1 Please pass that on to your staff.

2 CHAIR MILLER: Mr. Rodriguez.

3 MEMBER RODRIGUEZ: Madam Chair and  
4 members here, I think we all got the message  
5 out that we care about Howard Theatre, that  
6 Howard Theatre, I'm a Washingtonian too. I  
7 care about Howard Theatre. I remember, you  
8 know, all the excitement when it was going to  
9 be renewed by the government and as a  
10 taxpayer, you know, I want to make sure that  
11 I get a return on that cultural investment  
12 that Howard presents our city. It's also  
13 important as a tourism venue. It creates  
14 jobs, you know, so you can understand why this  
15 board is very concerned about making sure that  
16 Howard Theatre operates in a safe environment  
17 because we do not want, not only local  
18 citizens but also visitors who spend money  
19 here as well, to be in a dangerous environment  
20 and so you can understand why this board is  
21 very concerned about any licensed  
22 establishment being unsafe. That is our job

1 and we, you can understand why we're going to  
2 be asking for some serious work from you all,  
3 particularly with respect to the security of  
4 this establishment and I join Mr. Short and  
5 some of the others in making sure that, you  
6 know, my vote goes to a very secure Howard  
7 Theatre. I think in this discussion today we  
8 have established through our investigators,  
9 the police department and everyone else that  
10 we care about this institution and we want it  
11 to proceed in a very safe and cogent way.  
12 Thank you so much.

13 CHAIR MILLER: Okay. Why don't we  
14 go on to the next. What? Is there a question?

15 MEMBER BROOKS: No, no, no I think  
16 we need to move on to the next one.

17 CHAIR MILLER: Yeah. Okay, let's  
18 go on to the next case. It may raise some  
19 other issues that we need to address. That  
20 case, next on my list is case number 14-251-  
21 00229 with respect to an incident on June 21,  
22 2014. Is there anybody here?

1 MR. BRASHEARS: That's me, ma'am.

2 CHAIR MILLER: That's you? Okay.

3 MR. BRASHEARS: Investigator Mark  
4 Brashears.

5 CHAIR MILLER: Yep. Go ahead.

6 MR. BRASHEARS: I received a MPD  
7 251 concerning an incident on 21 June where a  
8 female had fallen from the second floor  
9 balcony onto the main floor in the venue.  
10 Basically the individual, the victim in this  
11 incidence, received a head trauma and from  
12 what I understand a broken hip and was semi-  
13 conscious when the police arrived. Once again  
14 I went through all the steps of speaking with  
15 the staff and basically the situation that  
16 night, things were a little rowdier than  
17 normal because they had a go-go band called  
18 The Backyard Band who typically brings a  
19 pretty rowdy crowd. Speaking to security I  
20 was told they had 14 security personnel that  
21 night but then again it was a situation where  
22 Mr. Harris was in charge again, was not an ABC

1     Manager although his staff members had told me  
2     that he had portrayed himself as one.

3             Again the security was dressed in  
4     plain clothing and I understand that two of  
5     them were EMTs and were trying to assist the  
6     victim but when police arrived they couldn't  
7     identify them, didn't know who they were and  
8     had to ascertain their identity. We had  
9     issues throughout most of the investigations  
10    with the camera situation. My understanding  
11    is they have 41 cameras, 38 were operational  
12    and they rerecorded every two weeks. And  
13    basically it was a situation again in this  
14    case trying to track down Mr. Harris to get  
15    him to return my calls, emails, visits, there  
16    was just no response to ABRA.

17            The shining light in this whole  
18    situation was an individual named Michael  
19    Harman who works at the establishment who has  
20    been somewhat helpful so in the absence of  
21    being able to deal with Mr. Harris, I dealt  
22    with him and basically instructed him that any



1 time you have a situation where there's an  
2 incident, accident or police are involved,  
3 burn copies of the incident and save it.  
4 We're going to come around, police are going  
5 to come around but at that point the video had  
6 already been overwritten. They could not  
7 provide it and then I think the most important  
8 thing that I came upon that night, or in the  
9 investigation, I spoke with an Officer  
10 Gillespe who responded to the scene and he  
11 referenced you know, basically a thousand  
12 people in the street, not moving for emergency  
13 vehicles.

14 He said no one was attempting to  
15 help him. He couldn't find management,  
16 couldn't find security and he said it  
17 basically put himself and other first  
18 responders in a dangerous situation just  
19 trying to get to the victim and at one point  
20 he even mentioned that he did not feel safe in  
21 the establishment and people were grabbing him  
22 and attempting to get his weapon so the, you

1 know, he was fearful for his own safety in the  
2 establishment and when I had brought these  
3 things up to now head of security, Mr. Derek  
4 Harris, and referenced all of these things and  
5 basically, you know, told him I can't tell him  
6 how to do business but, you know, in  
7 situations like this I would operate more like  
8 a night club. I would have security, security  
9 planned and all of those things and he had  
10 stated that he wanted to implement those  
11 things but was told no, that he could not and  
12 when I asked him who basically had told him  
13 that he said the General Manager, Mr. Melvin  
14 Harris, had said there would be no security  
15 clothing, there would be no incident log,  
16 there would be no RDO detail, but he said it  
17 was his intention to try to make those things  
18 happen.

19 CHAIR MILLER: I'm sorry, are you  
20 finished?

21 MR. BRASHEARS: Oh and one more  
22 thing, ma'am, I'm sorry. Basically at some

1 point in the night Mr. Derek Harris, the Head  
2 of Security, had basically told me the host or  
3 security personnel had actually approached the  
4 victim and told her one time before to get  
5 down off the railing and basically nothing was  
6 done. I guess she got down off the railing  
7 and, and when I spoke with the responding  
8 officer who was also an EMT or paramedic and  
9 assisted her he said from what he could tell  
10 she was highly intoxicated but couldn't  
11 elaborate on how he ascertained that. That's  
12 it ma'am.

13 CHAIR MILLER: I just to see, the  
14 person that was helpful to you was Mr. Harman?

15 MR. BRASHEARS: Mr. Michael  
16 Harman.

17 CHAIR MILLER: And what was his  
18 position?

19 MR. BRASHEARS: He is what's  
20 called a floor manager.

21 CHAIR MILLER: Floor manager,  
22 okay.

1                   MR. BRASHEARS: He routinely, when  
2 I spoke with him concerning issues there and  
3 basically told him the troubles that I was  
4 having getting Mr. Melvin Harris to respond to  
5 me, he gave me his card and he became the  
6 outlet but in this instance guess there was  
7 some kind of internal struggle going on that  
8 the theater because I sent Mr. Harris and I  
9 sent Mr. Harman an email requesting them to  
10 save the video for me of the incident. He told  
11 me Mr. Harris just disregarded it and he said  
12 at that point he was in a situation where he  
13 called, he was contemplating leaving the  
14 theater because of the issues and things that  
15 were going on so he chose not to respond to my  
16 request, so he was made aware that I needed  
17 the video but did not save it and I was under  
18 the impression it was saved and it was not so  
19 we don't have any video of actually what  
20 happened inside that night.

21                   CHAIR MILLER: Okay. Anything you  
22 want to add at this point, Officer?

1                   OFFICER KYLE:  No, ma'am.

2                   CHAIR MILLER:  Okay.  Question?

3                   MEMBER ALBERTI:  I just want to  
4   take this opportunity to thank Investigator  
5   Brashears and all the investigators for your  
6   reports.  Mr. Stewart, your staff does a great  
7   job and I want to thank you and your staff for  
8   the work you do.  This also reminds me of the  
9   volatile and dangerous situations that our  
10  investigators encounter out there.  So, to the  
11  license, well, not to the licensees, to the  
12  licensees' representatives, I hope you'll take  
13  this back to the people who didn't show up  
14  today.  The reason you're here is because  
15  officers and staff as well as the general  
16  public are put in danger, all right.  These  
17  guys go out, our investigators and, again, I  
18  want to remind you that our investigators are  
19  due respect.  They go out there and they are  
20  unarmed.  They are unprotected.  The only  
21  protection they have is a cell phone and  
22  hopefully soon a radio to MPD.  That's their

1     only protection. All right. We've seen them  
2     threatened. And you're put, and you're  
3     creating that kind of atmosphere, the worst  
4     kind of atmosphere, at your establishment.  
5     Now, Mr. White, were you there that evening?

6             MR. WHITE: Yes, sir.

7             MEMBER ALBERTI: Pardon?

8             MR. WHITE: Yes, sir.

9             MEMBER ALBERTI: You were?

10            MR. WHITE: Yes, sir.

11            MEMBER ALBERTI: And no one could  
12     identify security, no one was at the door.  
13     What was going on? I mean, what was going on,  
14     Mr. White?

15            MR. WHITE: Well I --

16            MEMBER ALBERTI: Were you Head of  
17     Security that night?

18            MR. WHITE: No, I was at manager  
19     duties at this time.

20            MEMBER ALBERTI: And what kind of  
21     manager? What was your manager duty? What  
22     was your status as manager?

1 MR. WHITE: House Manager.

2 MEMBER ALBERTI: I thought Mr.  
3 Harman was House Manager.

4 MR. WHITE: No, he's Floor  
5 Manager.

6 MEMBER ALBERTI: Floor manager?

7 MR. WHITE: Yes.

8 MEMBER ALBERTI: Mr. Harris was  
9 House Manager.

10 MR. WHITE: Mr. Harris was the  
11 General Manager.

12 MEMBER ALBERTI: Okay, so that  
13 brings me to this point, so I can fully  
14 understand how you guys operate, tell me what  
15 your management structure is for every night.

16 MR. COSENZA: There's a General  
17 Manager, then we have a team of managers like  
18 Floor Managers that concentrate on service and  
19 you know, House Manager, Floor Manager is  
20 interchangeable.

21 MEMBER ALBERTI: House Manager and,  
22 and what?

1 MR. COSENZA: Floor Manager.

2 MEMBER ALBERTI: So, so what are  
3 the duties of the Floor Manager?

4 MR. COSENZA: They would deal with  
5 guest issues, service issues, bar issues,  
6 making change, taking care of the artists,  
7 making sure the event is paid correctly.

8 MEMBER ALBERTI: And House  
9 Manager?

10 MR. COSENZA: Same thing, same as  
11 Floor Manager. It's interchangeable.

12 MEMBER ALBERTI: So, so who's  
13 responsible when an incident comes which  
14 Manager is responsible?

15 MR. COSENZA: The General Manager  
16 or the Senior Manager on staff.

17 MEMBER ALBERTI: No, no, no, no,  
18 no, no, no, no. Staff, I mean who's staff  
19 reporting to during the evening if there, a  
20 manager is usually someone who's in charge of  
21 something and people report to them unless I'm  
22 missing something so they've to be responsible



1     for some aspect, I mean who's responsible for,  
2     I mean when an issue comes up that, that, that  
3     should be under the purview of the Floor  
4     Manager or House Manager, who gets the ball?

5                 MR. COSENZA: Well, it's a large  
6     venue. We do keep our managers on radio. We  
7     do have multiple managers on on every night so  
8     when an issue comes up with a radio, whoever's  
9     available to handle it, handles it. If it's  
10    a General Manager issue, if it's a large  
11    issue, I would go and handle that personally  
12    myself. If not, whichever area the manager's  
13    in at the time. We have one manager on the  
14    balcony.

15                MEMBER ALBERTI: General Manager.  
16    Okay. Okay. So you have different, how do  
17    staff know who to go to first? I mean who's  
18    the first line person that the staff goes to  
19    and how do they know which, which person that  
20    is?

21                MR. COSENZA: Any one of the  
22    managers that are on the floor and we're all

1 in different locations.

2 MEMBER ALBERTI: So they can go to  
3 the House Manager or the Floor Manager?

4 MR. COSENZA: Yeah. We have one  
5 on the balcony, one on the main floor and then  
6 I would be roaming manager going back and  
7 forth through the back hallways, side  
8 entrances.

9 MEMBER ALBERTI: Mr. White, what  
10 were your duties that night?

11 MR. WHITE: I was handling the  
12 downstairs area.

13 MEMBER ALBERTI: The downstairs?

14 MR. WHITE: Yes. First little,  
15 first entertainment area.

16 MEMBER ALBERTI: Who was up on the  
17 balcony?

18 MR. WHITE: Entertainment area.

19 MEMBER ALBERTI: Who was up on the  
20 balcony?

21 MR. WHITE: I believe Mr. Harman  
22 was.

1                   MEMBER ALBERTI: Who had the front  
2 door?

3                   MR. WHITE: Derek Harris. Not,  
4 Melvin. I almost said--

5                   MEMBER ALBERTI: But I thought  
6 Derek Harris was the General Manager.

7                   MR. WHITE: No. Melvin Harris was  
8 the General Manager. Derek Harris is the Head  
9 of Security. That's what, remember you asked  
10 me that.

11                  MEMBER ALBERTI: He had the front  
12 door? How come he wasn't at the front door?  
13 Do you oversee security?

14                  MR. WHITE: Yes.

15                  MEMBER ALBERTI: So as House  
16 Manager or Floor Manager, you would oversee  
17 security.

18                  MR. WHITE: Yes.

19                  MEMBER ALBERTI: I mean you would,  
20 the Security Manager would report to you.

21                  MR. WHITE: Yes.

22                  MEMBER ALBERTI: How come nobody

1 was at the front door?

2 MR. WHITE: I wasn't aware that no  
3 one was at the front door.

4 MEMBER ALBERTI: Oh, you just  
5 heard it, right?

6 MR. WHITE: Yes.

7 MEMBER ALBERTI: You're unaware of  
8 a lot of things Mr. White. All right.

9 MR. WHITE: Sir, sir. Can I  
10 address, can I address the issue? When the,  
11 when the young lady, when the young lady fell  
12 I was right there. I was right there. I  
13 actually heard over the radio that she fell.  
14 I was right there from the moment that, well  
15 not from the moment she fell, but I got there  
16 with her until the EMTs got in to get her, so  
17 that was my location. I came.

18 MEMBER ALBERTI: And who was  
19 directing staff after that point? Who was  
20 responsible, you were occupied with the victim  
21 because she fell in your lap, almost  
22 literally, and so who now becomes in charge of

1 the rest of the staff?

2 MR. WHITE: Well we still had two  
3 other managers on duty. Mr. Harris, Mr.  
4 Melvin Harris and --

5 MEMBER ALBERTI: So who, who would  
6 have been in charge? Who would have taken  
7 over?

8 MR. WHITE: Well Melvin Harris is  
9 in charge of the whole thing. He would have  
10 been in charge of everything else going on.

11 MEMBER ALBERTI: Is Melvin Harris  
12 still with you all?

13 MR. WHITE: No. He was the General  
14 Manager that was let go.

15 MEMBER ALBERTI: Okay. I will  
16 hold my other comment for later. Okay. Thank  
17 you.

18 CHAIR MILLER: Yes, Mr. Short.

19 MEMBER SHORT: Not to belabor  
20 everything we've been through already because  
21 again I've already very strongly suggested how  
22 I feel about the situation. Can you remember

1 Washington, DC when this would not have been  
2 allowed? You say you've been here for a lot  
3 of years.

4 MR. WHITE: Yes.

5 MEMBER SHORT: Can you remember a  
6 Washington, DC when this would not have been  
7 allowed?

8 MR. WHITE: I'm not, I'm not sure  
9 if your question, sir.

10 MEMBER SHORT: Was the Howard  
11 Theatre like this when you were a young person  
12 going to the Howard Theatre?

13 MR. WHITE: Well I've never been  
14 actually inside the Howard Theatre.

15 MEMBER SHORT: Well I don't know  
16 your age but I'm not going to go there but  
17 I'll just say this, in your days growing up  
18 going to establishments of entertainment can  
19 you remember places being so crowded people  
20 couldn't get in and out or traffic couldn't  
21 get by or chaos that's been described? Is  
22 that the kind of Washington, DC you grew up

1 in?

2 MR. WHITE: No, sir.

3 MEMBER SHORT: Okay. Well, why  
4 would you allow it now that you're a manager  
5 at Howard Theatre?

6 MR. WHITE: Well, sir, we've,  
7 we've actually taken plenty of steps to avoid  
8 this, these situations happening. Some, some  
9 situations happen that you're not sure that  
10 they're going to, like the overcrowding at the  
11 front so now we have hired security staff  
12 that's able to handle the crowd control and  
13 instead of the barriers that we had we've  
14 actually gotten metal barriers that will help  
15 keep people from overrunning the barriers that  
16 will cause that situation. So we have  
17 actually taken steps to fix these situations.  
18 These situations did occur and I'm not making  
19 an excuse for them or to occurring. What I'm  
20 saying is that we've taken steps to make, to  
21 try to assure that they don't occur again. So  
22 we are taking steps to make sure that the DC

1     that I know isn't the situation that's  
2     happening here.

3                   MEMBER SHORT: I can assure you  
4     after this process plays all the way through  
5     Howard Theatre is going to be a much safer and  
6     a much more, if they're going to be serving  
7     alcohol, and I'm on this ABC Board, that the  
8     Howard Theatre is going to be once again a  
9     respectable place and a safe place for people  
10    to visit and to enjoy and attend. Right now  
11    it's not. And I really feel bad, I want this  
12    on the record, that we're going to let you two  
13    walk out of here today and you have no plan in  
14    place, you have nothing that says you're  
15    changing anything you're doing other than  
16    bringing in somebody from New York a month and  
17    a half ago who doesn't have a clue apparently  
18    either, because these incidences keep  
19    occurring and we won't allow that to keep  
20    happening. I hope that you understand that we  
21    are very serious about this and that if I have  
22    a vote, the most stringent thing that we can



1 do to Howard Theatre to bring it back up to  
2 compliance we will do. I hope you take that  
3 back to your owners and your licensees and we  
4 would expect to see them the next time, not  
5 someone who can't remember where they were.  
6 We want the licensee here at the next meeting  
7 and we're going to seek very strongly to seek  
8 that out. Thank you, Madam Chair.

9 CHAIR MILLER: Okay. All right,  
10 why don't we get the last case. I believe  
11 there's one more case. Case number 14-251-  
12 000238, incident occurred on July 10, 2014, an  
13 assault outside.

14 MR. BRASHEARS: Yes, ma'am.

15 CHAIR MILLER: Okay.

16 MR. BRASHHEARS: Yes, ma'am.

17 Basically I was involved with this one again.  
18 As luck would have it that night I was  
19 actually en route to the Howard Theatre to  
20 discuss the previous incident and as I turned  
21 on to T Street I could see flashing lights and  
22 emergency vehicles and I remember stating to

1 my colleague surely that can't be at the  
2 Howard Theatre, but we arrived and basically  
3 this situation that night was there was an  
4 individual who had seen a show, it was an R&B  
5 show from what I understand from the staff it  
6 was a very mild night. There were no issues,  
7 not a very large crowd, roughly 300 plus  
8 people and at some point an individual came  
9 out. He had self-parked. They have valet  
10 parking at Howard Theatre in a garage behind  
11 and self-parking out front. The individual  
12 had self-parked and kept his own keys but his  
13 lights were left on and his vehicle wouldn't  
14 start.

15 So at that point he became  
16 agitated and grabbed the valet manager and  
17 basically demanded his money back and the  
18 valet manager explained to him we don't deal  
19 with mechanical failures. We didn't deal with  
20 your car so at that point he assaulted the  
21 valet manager, punched him, kicked him. At  
22 some point the valet manager goes back up near

1 the vehicle.

2 Security, Mr. Harris, Mr. Derek  
3 Harris had come outside as had the Director of  
4 Operations, a Mr. Moshi Darmi, to basically  
5 see what was going on and at some point the  
6 two individuals that assaulted the valet, one  
7 came back with a tire iron. The other one  
8 came back with a handgun. He was an off duty  
9 police officer and then basically threatened  
10 the valet, at which point from what I  
11 understand from the victim a combination of  
12 the Howard Security Staff, staff member  
13 security and this Director of Operations, Mr.  
14 Darmi, broke it up and got the individual or  
15 got the victim inside. MPD was called and  
16 basically arrests and things were made. Once  
17 again, a situation where I was on hand that  
18 night. I guess Mr. Melvin Harris was in  
19 charge again but had already left for the  
20 evening. I spoke with Mr. Harman once again  
21 asking for a copy of the video. He said no  
22 problem.

1                   Normally in a situation like that  
2       I would have stayed and conducted interviews  
3       but most of the people I needed to speak to  
4       were already gone and MPD was there, you know,  
5       making their arrests so I said please make me  
6       a copy of the video. I'll come back and pick  
7       it up. Well then I found that my copy of the  
8       video or the spare copy that was made was  
9       actually given to the victim. He went  
10      somewhere with it and I made numerous  
11      contacts, attempts to contact him, interviewed  
12      him but he never produced the video, so I  
13      could not get the video of what had transpired  
14      that evening and this Mr. Moshi Darmi, as I've  
15      dealt with Howard Theatre numerous times, and  
16      dealt with different managers each time I was  
17      trying to figure out, you know, how he fit  
18      into the equation, you know, and basically he  
19      told me he was in charge of everybody but then  
20      when I spoke to some of the other staff  
21      members they basically explained to me that  
22      his position was more of a figure head. He

1       wasn't really in charge of anything so at the  
2       end throughout all of these things the only  
3       person I could really deal with was Mr. Harman  
4       and then Mr. Derek Harris when he became the  
5       security manager again seemed on board to do  
6       what needed to be done but wasn't allowed to.  
7       So, that's the long and short of that, ma'am.

8                   CHAIR MILLER:   What was Mr.  
9       Harman's position again?

10                  MR. BRASHEARS:   He, Floor Manager.

11                  CHAIR MILLER:   Oh, okay.   Is he  
12       still there?

13                  MR. BRASHEARS:   Yes.

14                  CHAIR MILLER:   Okay.   Anything?  
15       Okay, Mr. Alberti.

16                  MEMBER ALBERTI:   So, Mr. White  
17       were you there that evening?

18                  MR. WHITE:   Yes.

19                  MEMBER ALBERTI:   You were?

20                  MR. WHITE:   Yes.

21                  MEMBER ALBERTI:   Did you interact  
22       with the investigators at all?

1 MR. WHITE: No. I did not.

2 MEMBER ALBERTI: No. Did you come  
3 forward to interact with them?

4 MR. WHITE: Yes, I was right, I  
5 was right there out front when everything,  
6 after everything happened but I wasn't asked  
7 any questions. Actually both Michael and I  
8 believe Melvin was on duty that night.

9 MEMBER ALBERTI: So you let them,  
10 you let them deal with the investigators?

11 MR. WHITE: Right, well they were  
12 the senior managers on duty that night.

13 MEMBER ALBERTI: What was your  
14 position that night?

15 MR. WHITE: Same, House Manager.

16 MEMBER ALBERTI: It's just, a  
17 pattern I'm seeing here is that you're always  
18 in the background and never coming forward,  
19 never talking to the ABC Managers, you know,  
20 I, I just hope that you do better in your new  
21 position. That's all I hope. Okay, Mr.  
22 Brashears, you said that the video was given

1 to the victim. Who told you that? How do you  
2 know that?

3 MR. BRASHEARS: When I returned,  
4 after initially speaking to Mr. Harman about  
5 the video I returned a short time later to try  
6 to get a copy of the video and he instructed  
7 me that he had given it to the victim. Well  
8 I had to interview the victim anyway, I said  
9 hey, that's not what I would have liked. It  
10 should have been given to me. I said but I'll  
11 talk to the victim.

12 MEMBER ALBERTI: Great, great, so  
13 you only had Mr. Harman's word that he gave it  
14 to the, to the victim?

15 MR. BRASHEARS: Yes, sir. And  
16 then I spoke to the victim and he stated that  
17 he had the video. He was going to bring it to  
18 the interview. He met me at Howard Theatre to  
19 do the, do the interview but then he stated  
20 that he had left it in his sister's car and he  
21 couldn't get it.

22 MEMBER ALBERTI: Okay, so, so in

1 earlier conversation with Mr. Harman was it  
2 clear that you wanted the video?

3 MR. BRASHEARS: Yes, sir.

4 MEMBER ALBERTI: And he knew who  
5 you were? He knew you were an ABRA  
6 investigator, right?

7 MR. BRASHEARS: Yes, sir, and we  
8 had had numerous conversations about the  
9 theater being more responsive to ABRA requests  
10 so by that point I, I felt that he had a clear  
11 understanding of where we were at.

12 MEMBER ALBERTI: Mr. Cosenza, does  
13 anything ring a bell here in terms of  
14 training, do you think some of your, your  
15 managers need, need additional training?

16 MR. COSENZA: 100 percent.

17 MEMBER ALBERTI: Yes?

18 MR. COSENZA: Yes.

19 MEMBER ALBERTI: Have they been  
20 given additional training?

21 MR. COSENZA: We are in the  
22 process of training everyone and the number



1       one thing has been --

2                   MEMBER ALBERTI:   When did you  
3       start that process?

4                   MR. COSENZA:   From day one.   From  
5       the day that I started.

6                   MEMBER ALBERTI:   What did that  
7       training entail?

8                   MR. COSENZA:   Just filtering first  
9       of all, filtering every information up to me  
10      so I can also filter it to our owners, which  
11      was a part of the problem. We thought a lot of  
12      the information was kind of polished up and  
13      not given to them and when they would come  
14      down to inspect the club at that point  
15      everything would kind of be polished up and  
16      shoved to the side and it looked great on the  
17      surface and that was the reason for bringing  
18      in our Director of Operations, Mr. Darmi. He's  
19      someone that has held high positions in the  
20      Israeli Army and he is there as a watchdog for  
21      the owners to try to figure out what the  
22      problem is and when we rooted out that the

1 main problem was Mr. Melvin Harris, that's  
2 when the decision was made to get him out of  
3 that position and to hurdle the what was  
4 happening down here and to put us on the  
5 correct course.

6 MEMBER ALBERTI: Did you speak to  
7 them about how to handle these situations and  
8 what they should do when MPD and investigators  
9 show up?

10 MR. COSENZA: We have discussed it  
11 in our manager meetings, that, yes, that we  
12 are supposed to be 1000 percent cooperative.

13 MEMBER ALBERTI: Do you have any  
14 training materials written down?

15 MR. COSENZA: We do not have any  
16 training materials written down.

17 MEMBER ALBERTI: It kind of  
18 figures. Just be mindful that you may want to  
19 talk to them about the authority of MPD and  
20 the ABRA investigators. Can I move on to  
21 general comments, if I may?

22 CHAIR MILLER: Well can we finish

1       this?

2                   MEMBER ALBERTI:   Sure.

3                   CHAIR MILLER:   Let's just follow  
4       up on here and then we can do a wrap up of the  
5       general comments and things.  Did you say, do  
6       you have a new Director of Operations?

7                   MR. COSENZA:   This is Mr. Darmi  
8       that was previously mentioned.

9                   CHAIR MILLER:   Mr., can you spell  
10      the last name?

11                  MR. COSENZA:   Mr. D-A-R-M-I.

12                  CHAIR MILLER:   When did he come on  
13      board?

14                  MR. COSENZA:   I believe it was  
15      January.

16                  CHAIR MILLER:   January and where  
17      did he come from?  Did he come from Israel?

18                  MR. COSENZA:   He was appointed by  
19      Mr. Bensusan as a watchdog really and that's  
20      why the investigator's previous comment that  
21      he was more of a figure head, he was there  
22      more to report to the owners on what was

1       happening that was being brushed under the  
2       carpet because things were not getting to the  
3       owners and when they came down here they saw  
4       a much different picture that what's painted  
5       on all of these reports.

6                   CHAIR MILLER:   So when he came  
7       down in January and all these events started  
8       in January, January according to my list,  
9       January, February, May, June, July, so what,  
10      what has he done?

11                  MR. COSENZA:   Well we've, we've  
12      taken steps to remove the management team and  
13      the problems and he was being sold the story  
14      by Mr. Harris also being told that he was a  
15      licensed ABRA, he was being told that you  
16      know, that he was handling all this, that when  
17      an ABRA investigator came by and asked for  
18      something, oh, yeah, I'm taking care of it,  
19      I'm taking care of it.   Meanwhile once we  
20      released him and we checked his voicemail and  
21      his email records we saw that there was no  
22      response to anything from ABRA, from customer

1 relations --

2 CHAIR MILLER: And he was released  
3 when?

4 MR. COSENZA: Sorry?

5 CHAIR MILLER: Harris, Mr. Harris  
6 was released when?

7 MR. COSENZA: He was released when  
8 I came in. It would have been the first week  
9 in August.

10 CHAIR MILLER: Okay, so this Mr.  
11 Darmi, how often is he here? Is he --

12 MR. COSENZA: Seven nights a week.

13 CHAIR MILLER: Oh, he is. Seven  
14 nights a week he's there?

15 MR. COSENZA: Yep.

16 CHAIR MILLER: He's a watchdog, is  
17 that, what else does he do? I mean he reports  
18 back honestly to the owners about what's going  
19 on. What else does he do?

20 MR. COSENZA: That's his main  
21 role.

22 CHAIR MILLER: That's his main

1       role?

2                   MR. COSENZA:  Yeah, and customer  
3       relations just any problem guests he would  
4       talk to.

5                   CHAIR MILLER:  Okay.

6                   MR. COSENZA:  He did intercede in  
7       that one instance with the off duty officer  
8       and the revolver?

9                   CHAIR MILLER:  Okay.  Thank you.  
10       Mr. Brashears, I just want to ask you with  
11       respect to this particular incident which  
12       involves an assault on a valet outside of the  
13       establishment, are there issues with respect  
14       to what the establishment did in connection  
15       with this incident?

16                   MR. BRASHEARS:  No, ma'am.  I  
17       asked the victim about that and he basically  
18       said that security at Howard Theatre was  
19       typically very good about watching out for the  
20       valets, you know, sometimes walking with them  
21       around to the garage to make sure that you  
22       know, people were taken care of and things

1     were, things were done and no, I mean, at this  
2     point I couldn't find anything that stated or  
3     showed me that anything had transpired inside  
4     or wasn't necessarily you know, handled  
5     appropriately except for the fact of, you  
6     know, the video and as far as Mr. Darmi, I've  
7     had three investigations at Howard Theatre  
8     since January. I've been over there numerous  
9     times for visits and things. I never knew of  
10    Mr. Darmi's existence in the management  
11    structure until this incident and the only  
12    reason I knew of that is because I was  
13    interviewing everyone that was involved in the  
14    incident and he just happened to be outside  
15    smoking a cigarette and intervened or I would  
16    never have known he was anything to do with  
17    the management structure or staff and at that  
18    time and that evening it looked like they had  
19    pretty much done what they were supposed to  
20    do.

21                   CHAIR MILLER:   Okay.   Thank you.

22    Yeah, Mr. Alberti.

1                   MEMBER ALBERTI: Mr. Cosenza I  
2                   just sort of want to go over and make sure I  
3                   didn't mis, mishear some of the information,  
4                   so your Operations Manager is Mr. Darmi?

5                   MR. COSENZA: He has given himself  
6                   the, he's been given the title of Director of  
7                   Operations.

8                   MEMBER ALBERTI: Director of  
9                   Operations, all right. Director of  
10                  Operations. I don't really care. I'm not big  
11                  on titles. I just like to know what people  
12                  do. He came on in January?

13                  MR. COSENZA: Yeah.

14                  MEMBER ALBERTI: There seven  
15                  nights a week?

16                  MR. COSENZA: Yes.

17                  MEMBER ALBERTI: Why the hell  
18                  didn't he know what was going on? You keep,  
19                  it keeps getting worse, Mr. Cosenza. You're  
20                  telling me you're giving me this line well he  
21                  was, he was being fed a line by Mr. Harris and  
22                  then you tell me that Mr. Darmi's there seven



1 days a week, so he had to see it with his own  
2 eyes. What is it? You just, you're not being  
3 credible, Mr. Cosenza. I got to tell you.  
4 Your story is just not holding together. It's  
5 just amazing Mr. Darmi is there from January,  
6 he's there seven days a week and he doesn't  
7 know what's going on and these problems  
8 continue. Tell me, tell me what I'm  
9 misunderstanding.

10 MR. COSENZA: He's an expert in  
11 Army, not in restaurant regulations and how to  
12 operate a regulation. He was relying on Mr.  
13 Harris for all of that information, which was  
14 a mistake that we soon rectified. His role  
15 there was brought in by management, by the  
16 owners because they felt a disconnect and they  
17 weren't able to be down here seven nights a  
18 week with the venue so they were able to get  
19 information from him of what was happening but  
20 it was still to the detriment of he was taking  
21 information from Mr. Harris.

22 MEMBER ALBERTI: But he saw it.

1 He was there. He had to be aware if the  
2 investigator showed up. He was there seven  
3 nights a week. He had to be aware, according  
4 to you he was there seven nights a week.  
5 That's what you want us to believe.

6 MR. COSENZA: 100 percent.

7 MEMBER ALBERTI: So I can't, you  
8 know, you can't have it both ways. So he had  
9 to be aware that the investigators were there.  
10 And I got to tell you Mr. Cosenza I read these  
11 reports. All right. Someone with an IQ of 70  
12 would recognize there's a problem.

13 MR. COSENZA: We said from the  
14 beginning that there was an issue, that we're  
15 not trying to cover up that there was an issue  
16 and that actions and steps are being taking  
17 place. Obviously, they're not to the board's  
18 satisfaction. That's been very, very clear --

19 MEMBER ALBERTI: Would they be to  
20 your satisfaction if you saw this list of  
21 events going on since January?

22 MR. COSENZA: I would have loved

1 another month before this hearing and I could  
2 have brought a lot of different results and  
3 unfortunately that's not a satisfactory answer  
4 either. I understand that.

5 MEMBER ALBERTI: Okay, okay. I'll  
6 have more to say when we get back to general  
7 comments.

8 CHAIR MILLER: I think we're  
9 almost there cause it's after twelve and we've  
10 gone through all the cases. Yes, so.

11 MEMBER RODRIGUEZ: I am hungry but  
12 I want some answers. I'm going to go back to  
13 where I began with a question about the  
14 corporate structure of Howard Theatre and I  
15 would like to receive, I would like this board  
16 to receive documentation that verifies what  
17 the actual corporate structure of Howard  
18 Theatre is, what the legal and corporate  
19 entities as, as licensed and authorized by the  
20 DC government, the Department of Consumer  
21 Regulatory Affairs, yep, okay, Consumer  
22 Regulatory Affairs and the other question I

1     have is since you have this kind of dual  
2     entity, you say you have an LLC and then  
3     there's a not-for-profit, that's two moving  
4     parts that you know, I'm still trying to focus  
5     on because if you have a not-for-profit that  
6     means you're getting funding from the local  
7     government. Do you get funding from the local  
8     government?

9                   MR. COSENZA: My understanding is  
10    that the not-for-profit is a, is the holding  
11    company that owns the property that has done  
12    the refurbishments and that they've hired us  
13    in as a management company with a lease and  
14    that as a management company we are owners of  
15    the brand. But again that's just my  
16    understanding but I don't have that legal  
17    documentation and I --

18                   MEMBER RODRIGUEZ: Okay so my, my,  
19    my question is, Mr. Cosenza, if you can  
20    provide information as to whether the Howard  
21    Theatre gets funding from the DC government  
22    because Howard was a social institution and I

1     see it moving into some kind of a nightclub  
2     operation here and I want to be clear what  
3     this entity is at this point. Okay? Thank  
4     you.

5                   CHAIR MILLER: I just want to say  
6     that I have been keeping a list and I want to  
7     go over that at the end of documentation that  
8     we think would be helpful for the board to  
9     have and if you can provide. I can actually go  
10    through that now --

11                  MEMBER ALBERTI: Well actually I  
12    thought, maybe we can hold off, I would like  
13    for us to go back and talk before we sum this  
14    up. I just think that we need to kind of touch  
15    base as a board. There's some legal issues  
16    that I think that we need to --

17                  MEMBER SHORT: I would concur with  
18    that, Madam Chair.

19                  MEMBER ALBERTI: I have some  
20    questions that need to --

21                  CHAIR MILLER: Okay.

22                  MEMBER ALBERTI: But before we do

1     that I, I just want to make a few general  
2     remarks here. I mean, yeah I don't even know  
3     where to start. I mean I guess since January  
4     I just see a turnover of one manager after  
5     another and you know, it's not clear to me  
6     that you can even explain who's in charge each  
7     night and you're hiring people and then firing  
8     them because they're not working out. Chaos.  
9     Chaos. I mean I really got to wonder about a  
10    company who just keeps hiring people who, who  
11    just don't cut it. I mean, either they don't  
12    care or they're not, they're not good at  
13    screening people who they hire. And that's a  
14    problem. That's a problem. And you know, just  
15    performics that the owner isn't here. Tells  
16    me that they don't really care and that shows  
17    from these reports and so I will tell you that  
18    whatever happens today this establishment will  
19    be under a microscope. That's a guarantee and  
20    I can say that, I can say that and I'm  
21    confident that my fellow board members will  
22    agree with that.

1 MR. COSENZA: I actually  
2 appreciate that.

3 MEMBER ALBERTI: Oh, thank you.

4 MR. COSENZA: I do appreciate  
5 that. I want, I want the assistance. I want  
6 the help to turn this around.

7 MEMBER ALBERTI: We want to keep  
8 you happy. Well we want to keep you happy,  
9 Mr. Cosenza because cause you haven't been  
10 very, I'm going to tell you Mr. Cosenza you  
11 haven't been very helpful today. Thank you.

12 CHAIR MILLER: I wouldn't say  
13 that.

14 MEMBER ALBERTI: All right, so.  
15 Well that's my opinion. I'm just expressing  
16 my opinion right now. Okay, so. Mr. Cosenza,  
17 I'm going to ask you some real, some  
18 reappointed questions here. Is Howard Theatre  
19 the licensee willing to put in place a  
20 security plan that comports with the  
21 District's regulations on a security plan?

22 MR. COSENZA: Yes.

1                   MEMBER ALBERTI: Do we have that  
2                   commitment?

3                   MR. COSENZA: Yes.

4                   MEMBER ALBERTI: Can you make that  
5                   on behalf of the owners?

6                   MR. COSENZA: Absolutely.

7                   MEMBER ALBERTI: When can you get  
8                   us a security plan?

9                   MR. COSENZA: I can get it for you  
10                  in the next two days.

11                  MEMBER ALBERTI: That comports  
12                  with, next two days, that comports with, I  
13                  will give you thirty days, Mr. Cosenza,  
14                  because you really don't understand what the  
15                  hell you're doing here. I'm sorry to say it  
16                  like that because anybody who knows ABRA,  
17                  knows the alcohol business in the District  
18                  will tell you that you can't do it in two  
19                  days. Talk to any reputable attorney and  
20                  maybe you all, you ought to consult in with an  
21                  attorney on this. That's my advice to you. So  
22                  we'll give you thirty days and it will be



1 reviewed by ABRA and we'll see that it  
2 comports with. Are you willing to implement  
3 RDO?

4 MR. COSENZA: That's not my  
5 decision. I can't speak on their behalf.

6 MEMBER ALBERTI: Well it's a shame  
7 that they're not here to speak on that behalf.  
8 All right. I have nothing else.

9 MEMBER SHORT: Just one, just one  
10 quick question.

11 CHAIR MILLER: Okay.

12 MEMBER SHORT: I'd like to ask the  
13 Investigator Brashears are their books and  
14 records up to date?

15 MR. BRASHEARS: Yes, sir.

16 MEMBER SHORT: They're up to date.

17 MR. BRASHEARS: Yes, sir.

18 MEMBER SHORT: Then I'd like to  
19 ask the, the business owners what kind of  
20 income do you, is with these kind of events?  
21 Are you, are you making a lot of money? I  
22 mean I just have to ask.

1                   MR. COSENZA: I don't have access  
2                   to the P&L. I couldn't tell you what our  
3                   profit and loss is. There is a lot of factors  
4                   involved with promoters being brought in, with  
5                   contracts, the whole paying the band. I can't  
6                   tell you what the profit is on it.

7                   MEMBER SHORT: Thank you.

8                   CHAIR MILLER: Okay. Officer  
9                   Kyle, did you want to add anything before the  
10                  board recesses and --

11                 OFFICER KYLE: You cannot agree to  
12                 the RDO; however, I guess my biggest concern  
13                 Chairwoman is the security team that they  
14                 brought in. We have no knowledge of who these  
15                 people are. If they're up to the SOMB codes,  
16                 if they're up to the DC standards, we have no  
17                 idea who they are and if they are aware of the  
18                 DC code that, you know, all of our titles and  
19                 guidelines, but yet they're using, they've  
20                 already used this company from what I'm  
21                 gathering. How do we know if they're even  
22                 licensed in the District.

1                   CHAIR MILLER: Okay. That's on my  
2 list actually, if you want to come back. I  
3 want to ask you because that's the major  
4 concern, what did you, what does SOMB stand  
5 for?

6                   OFFICER KYLE: It's our security  
7 branch that hand, it's the Metropolitan Police  
8 Department Security Branch.

9                   CHAIR MILLER: Okay.

10                  OFFICER KYLE: They handle most of  
11 the armed and unarmed security. They take a  
12 lot of our classes. They take a lot of the DC  
13 code and the municipal regulation classes so  
14 that they're up to par with the District. So  
15 we don't even know where this company came  
16 from.

17                  CHAIR MILLER: So security  
18 companies, do they register with you? Do they  
19 --

20                  OFFICER KYLE: Their licenses come  
21 through us, yes.

22                  CHAIR MILLER: Oh, they get a

1 license through you--

2 OFFICER KYLE: Correct.

3 CHAIR MILLER: That's different  
4 from a DCRA license or whatever license?

5 OFFICER KYLE: It's an actual  
6 security license.

7 CHAIR MILLER: Special security  
8 license.

9 OFFICER KYLE: Yes they do.

10 CHAIR MILLER: Okay. And they,  
11 they get training for that?

12 OFFICER KYLE: Correct.

13 CHAIR MILLER: Okay.

14 OFFICER KYLE: So whether they're  
15 armed or unarmed the security license which  
16 comes from the Metropolitan Police Department  
17 gives them their criteria, their credits,  
18 their just their accommodations to know that  
19 they are licensed to do such and so you know  
20 that's the big, one of the major concerns I  
21 have at this moment. We don't know who this  
22 company is.

1 CHAIR MILLER: Right.

2 OFFICER KYLE: Who they're  
3 licensed through. Are they a DC company?

4 CHAIR MILLER: And you have a list  
5 of all security companies that are licensed  
6 through you?

7 OFFICER KYLE: No.

8 CHAIR MILLER: You don't? Why?

9 OFFICER KYLE: I don't have that  
10 list. I don't work that SOMB.

11 CHAIR MILLER: No, no, no, I mean  
12 MPD has that list. Not you personally. I mean  
13 if somebody --

14 OFFICER KYLE: I'm pretty sure it  
15 is searchable. I am, I'm pretty sure I can  
16 get it.

17 CHAIR MILLER: I just mean if  
18 somebody, somebody's, say this establishment,  
19 I want to hire a company that's been licensed  
20 by SOMB, how would they know? They call MPD?

21 OFFICER KYLE: Exactly. Correct.

22 CHAIR MILLER: Okay.

1                   MEMBER ALBERTI: Officer, I just  
2                   want to remind you, we are going to get you a  
3                   contract. For what it's worth. It may not  
4                   but at least that will be a starting point.

5                   OFFICER KYLE: Thank you. Yes.

6                   MEMBER SHORT: And also I'd like  
7                   to say thank you for being here today. Your  
8                   testimony has been very creditable.

9                   OFFICER KYLE: Thank you, sir.

10                  MEMBER SHORT: In that you have  
11                  been very professional and I'm quite sure if  
12                  this establishment works with you closely they  
13                  will be able to get themselves closer to  
14                  having a secure ABC license, a secure ABCE  
15                  license.

16                  OFFICER KYLE: Yes, sir.

17                  CHAIR MILLER: Okay, so there has  
18                  been a request that we convene in executive  
19                  session and just talk about this a little bit  
20                  before I articulate what we're going to do  
21                  next and what documents and information we  
22                  want from you, etc., so we've gotten all the

1 information, so I'm going to have us take a  
2 vote on that and you all can take a little  
3 break and then we'll be back shortly. As  
4 Chairperson of the Alcoholic Beverage Control  
5 Board for the District of Columbia in  
6 accordance with Section 405 of the Open  
7 Meetings Act of 2010 I move that the ABC Board  
8 hold a closed meeting for the purpose of  
9 seeking legal advice from our counsel on cases  
10 number 14-251-00093, 00013, 14-CMP-00240, case  
11 number 14-251-00229 and 00238 related to  
12 Howard Theatre and deliberating upon these  
13 cases for the reasons cited in Section 405b13  
14 of the Open Meetings Amendment Act of 2010. Is  
15 there a second?

16 MEMBER SHORT: I second.

17 CHAIR MILLER: Mr. Short has  
18 seconded the motion. I'll now take a roll  
19 call vote on the motion before us, now that it  
20 has been seconded. Mr. Brooks.

21 MEMBER BROOKS: I agree.

22 CHAIR MILLER: Mr. Alberti.

1 MEMBER ALBERTI: I agree.

2 CHAIR MILLER: Mr. Rodriguez.

3 MEMBER RODRIGUEZ: I agree.

4 CHAIR MILLER: CHAIR MILLER

5 agrees. Mr. Short?

6 MEMBER SHORT: I agree.

7 CHAIR MILLER: Okay, it appears  
8 that the motion is passed by a 5-0-0 vote and  
9 therefore, I give notice that we are going to  
10 recess now and discuss those matters and  
11 return to give you further guidance. I think  
12 it could be ten, fifteen minutes but that's a  
13 guess. Thank you.

14 (Whereupon, the hearing went off  
15 the record at 12:17:43 p.m. and resumed at  
16 12:50:47 p.m.)

17 CHAIR MILLER: Okay, we're back on  
18 the record. I was waiting to see whether our  
19 investigators were going to be coming back.  
20 Here they are. Here's Mr. Brashears. Okay.  
21 So the board recessed and had opportunity to  
22 talk about what we've heard and I just, there



1 have been a lot of comments so I'm going to be  
2 fairly brief but in a nutshell the cases that  
3 we heard about which are in the past but  
4 raised serious concerns about public safety  
5 and some of them have appeared to reflect ABRA  
6 violations and those that do what we do is we  
7 normally send them to the Office of the  
8 Attorney General and they determine whether  
9 they are going to prosecute those cases as  
10 violations of the ABRA regulations in which  
11 case those will be evidentiary hearings and  
12 could result in a few penalties and possibly  
13 suspension and then we also are looking  
14 towards the present and the future as to what  
15 actions we would like to see this  
16 establishment take to make its establishment  
17 first and foremost safe.

18 Okay, so I'm going to do this  
19 under motion right now. I'm going to move  
20 that we send Case number 14-CMP-00240, the May  
21 18, 2014 incidences, Case number 14-251-00229,  
22 the June 21, 2014 incidences and Case number

1 14-251-00238, dealing with an incident on July  
2 10, 2014, to OAG for a possible show cause and  
3 then I want to go through a list of documents  
4 that we would like the licensee to provide to  
5 ABRA and most of them also to MPD. The first  
6 and foremost is a security plan which the  
7 licensee has agreed to provide to the ABRA and  
8 ABC Board within thirty days and that would be  
9 by October 17 and you need to check our  
10 regulations to see what's involved for a  
11 security plan and you might also want to check  
12 with a legal advisor or someone on those  
13 practices but this security plan should at  
14 least address some of the concerns we heard  
15 today which were crowd control and evacuation  
16 plans and training.

17 I think one of the main themes  
18 that I heard today was a lack of procedures  
19 which resulted in chaos and dangerous  
20 situations at this establishment. Next we  
21 would like the name of, we would like the  
22 contract that you have with your security

1 company and that should also be sent to  
2 Officer Kyle. Number three, we would like a  
3 list of the, of your personnel by title and  
4 also position description.

5 MEMBER ALBERTI: Well I think that  
6 was the night of May 18, for the event on May  
7 18.

8 CHAIR MILLER: I understood that  
9 those were two separate requests, but.

10 MEMBER ALBERTI: Oh, okay fine.  
11 Fine, go ahead then.

12 CHAIR MILLER: That was my next  
13 one, yeah. We want to know, this is part of  
14 knowing who's in charge of what because that,  
15 that is one of the, the themes we also heard  
16 today was, you know, nobody knew who was in  
17 charge and there's been turnover. Number four  
18 is what Mr. Alberti was just addressing and I  
19 think you agreed to that earlier was a list of  
20 the employees who were on duty May 18, 2014 in  
21 the evening when the incidence occurred. And  
22 number five is just if you could provide some

1 kind of documentation or description of the  
2 ownership of Howard Theatre so the board can  
3 understand the profit, non-profit relationship  
4 and the relationship with the District of  
5 Columbia government.

6 We are going to schedule a follow-  
7 up status on this case for October 22 at which  
8 time we would like to have the owners  
9 themselves appear. At that point we will have  
10 been able to review the information that, that  
11 you have submitted. We want, actually and I'm  
12 not sure if I said this, the security plan  
13 within thirty days and the other documents  
14 within two weeks.

15 Okay. I, I can't stress strongly  
16 enough that you should be working with MPD.  
17 I think that what you most would want also is  
18 a safe venue and that you look into the RDO.  
19 I, I think and then we'll vote on all this but  
20 I think Mr. Cosenza that, you know, I, I think  
21 you're well intentioned and that you may have  
22 great experience from New York but Washington

1 is a special place and, and we do things in  
2 certain ways and it's really important that  
3 you have a communication and a relationship  
4 with MPD and, and they're there to help you.  
5 You know, they want to help make your place  
6 safe too. I think that's it on my list.

7 If, if I don't hear otherwise I'm  
8 going to move this then. They have three cases  
9 forward to OAG and then the list of documents  
10 to be provided by the licensee that I just  
11 read through.

12 MEMBER SHORT: Second that motion.

13 CHAIR MILLER: Okay. Mr. Short  
14 seconded the motion. All those in favor, say  
15 Aye.

16 Chorus of Ayes.

17 CHAIR MILLER: All those opposed.  
18 All those abstaining. Motion passes 5 0 0 and  
19 I also will say that we're going to put this  
20 in a letter and send that to you so you'll  
21 have it memorialized that way. Okay, well  
22 thank you very much. This was a pretty long

1 hearing but --

2 MEMBER ALBERTI: May I make just  
3 one last comment?

4 CHAIR MILLER: Okay.

5 MEMBER ALBERTI: Just so you, you  
6 know this is, almost every establishment in  
7 this city who has the type of events that you  
8 have has RDO. We're not singling you out. It  
9 is the norm and there's a reason for that.

10 MR. COSENZA: Thank you.

11 CHAIR MILLER: Thank you very much  
12 and also, I would say this also, feel free to  
13 call Ms. Jenkins, our general counsel, or Mr.  
14 Moosally if you have any questions about, you  
15 know, the ABRA regulations or security plans.  
16 They're there to help you as well. Okay. If  
17 there are no other questions, then this  
18 hearing's concluded. Thank you very much.

19 (Whereupon, the hearing was  
20 concluded at 12:58 p.m.)

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